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Letter dated 7 February 2014 from the Chair of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan addressed to the President of the Security Council

I have the honour to transmit herewith the final report of the Panel of Experts on the Sudan as requested by the Security Council in paragraph 3 of resolution 2091 (2013).

The report was presented to the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan on 23 January 2014 and was considered in the Committee on 4 February 2014.

I will present to the Security Council shortly the Committee's views on the report, and any follow-up to the recommendations contained therein.

I should be grateful if the present letter and the report were issued as a document of the Security Council.

(*Signed*) María Cristina **Perceval**
Chair
Security Council Committee established pursuant to resolution 1591 (2005)
concerning the Sudan

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Letter dated 22 January 2014 from the Panel of Experts on the Sudan established pursuant to resolution 1591 (2005) addressed to the Chair of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

On behalf of the members of the Panel of Experts established pursuant to resolution 1591 (2005), I have the honour to transmit herewith the report of the Panel prepared in accordance with Security Council resolution 2091 (2013).

(*Signed*) Issa **Maraut**
Coordinator
Panel of Experts on the Sudan established pursuant to resolution 1591 (2005)

(*Signed*) Luis Ángel **Benavides Hernández**
Expert

(*Signed*) Guido **Potters**
Expert

(*Signed*) Ghassan **Schbley**
Expert

(*Signed*) Adrian **Wilkinson**
Expert

Report of the Panel of Experts on the Sudan established pursuant to resolution 1591 (2005)

Summary

Following its appointment on 1 April 2013, the Panel of Experts spent more than five and a half months investigating the situation on the ground in Darfur and Khartoum to determine whether the parties to the conflict were implementing the relevant United Nations resolutions. The Panel also conducted 13 regional and international missions to evaluate the impact of the surrounding region on the Darfur conflict. The Panel acted with complete independence, transparency, objectivity and impartiality. The Panel maintained equal contact with all stakeholders on the Darfur issue.

In general, the Panel welcomed the cooperation provided by the Government of the Sudan, yet the Government did not always accede to requests from the Panel for access and information. It prevented the Panel from travelling to several sensitive areas for what it termed "security reasons" and was reluctant to provide information on crucial matters. The Government also maintained its uncompromising position in respect of the finance expert, whom it considers persona non grata.

The Panel identified the presence in Darfur of post-2005 manufactured small arms ammunition, which had not been reported under previous mandates. It included ammunition manufactured in Khartoum in 2013; a clear violation of the arms embargo. More detailed technical information on improvised air-delivered munitions was identified and analysed, including clear evidence of the operational use of such weapons. Routine ammunition storage by the Sudanese Armed Forces at El Fasher airport in support of their air operations was identified. Stock levels fluctuated, indicating use or redeployment of the ammunition. The ammunition also presents a continuing hazard to the civilian part of the airport.

Explosives engineering, in combination with the expertise of the aviation and international humanitarian law experts, was used in an integrated investigation of an attack on an unarmed civilian convoy by the Sudanese air force on 29 November 2013 in which 14 civilians died. Specific violations of the arms embargo and international humanitarian law by the Sudan were identified as a result of the investigation.

Various sanctions violations were identified, including, highly probably, the transfer of Antonov An-26 aircraft by the Sudan into Darfur when subsequently used in an improvised bomber role. Furthermore, violations of the arms embargo by the Sudan, which could now be characterized as "routine", were also identified through the regular rotation of Sukhoi Su-25 attack/close air support jets and Mi-24 attack helicopters to an aviation maintenance facility near Khartoum and then back to Darfur.

The Panel obtained evidence of international humanitarian law violations. The attacks on the African Union-United Nations Hybrid Operation in Darfur and a faction of the Justice and Equality Movement led by Mohamed Bashar were investigated. From evidence obtained, the Panel is almost certain that an armed entity known as Savana was responsible for the attack on the African Union-United Nations Hybrid Operation in Darfur team site at Muhajeria. This entity has been

recommended for designation by the Committee. Individuals who participated in the attack against the Justice and Equality Movement faction were also identified by the Panel.

The Panel obtained new identifiers for two designated individuals and investigated recent violations of the travel ban by them.

A financial model was developed to analyse and quantify the funding streams required to support the military operations of armed opposition groups.

Although some progress has been made, the implementation of the Doha Document for Peace in Darfur remains slow, primarily owing to equivocations on the part of the Government of the Sudan and the Darfur Regional Authority, militarization of tribes and increasing tribal conflict. Peace efforts continue to be stymied by the contradictory and irreconcilable positions of the Government and the armed opposition groups.

Tensions between the Sudan and countries neighbouring Darfur appear generally to have relaxed during the mandate. Chad maintains a strong interest in reaching a negotiated settlement and is urging the Sudanese Zaghawa to support that position. For their part, South Sudan and Uganda deny any participation in the conflict or any support for armed opposition groups. The Central African Republic indicated to the Panel that hundreds of Darfurian elements had crossed the border to support the Séléka coalition.

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I. Introduction

1. The Panel of Experts on the Sudan was established by the Security Council in resolution 1591 (2005). The Panel's mandate has since been extended in resolutions 1651 (2005), 1665 (2006), 1672 (2006), 1713 (2006), 1779 (2007), 1841 (2008), 1891 (2009), 1945 (2010), 1982 (2011), 2035 (2012) and 2091 (2013).

2. In resolution 2091 (2013), the Security Council requested that the Panel should provide a final report with its findings and recommendations no later than 30 days before the termination of its mandate (17 February 2014). The present report has been prepared in response to that request. It is the tenth final report submitted by the Panel.

3. By paragraphs 7 and 8 of resolution 1556 (2004), the Security Council imposed an arms embargo on all non-governmental entities and individuals, including the Janjaweed, operating in the States of Northern Darfur, Southern Darfur and Western Darfur. By paragraph 2 of resolution 2035 (2012), the Council confirmed that all reference to the three States of Darfur should apply to all the territory of Darfur, including the new States of Eastern and Central Darfur, created on 11 January 2012. By paragraph 7 of resolution 1591 (2005), the Council extended the arms embargo to include all parties to the N'Djamena Ceasefire Agreement and any other belligerents in the aforementioned areas. By paragraphs 3 (d) and 3 (e) of that resolution, the Council also imposed targeted travel and financial sanctions on designated individuals. By resolution 1672 (2006), the Council designated four individuals. The enforcement of the arms embargo was further strengthened by resolution 1945 (2010).

4. The Panel operates under the direction of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan. The mandate of the Panel, as set out in that resolution, is:

(a) To assist the Committee in monitoring implementation of the arms embargo;

(b) To assist the Committee in monitoring implementation of the targeted travel and financial sanctions;

(c) To make recommendations to the Committee on actions that the Security Council may want to consider.

5. Furthermore, the Panel is identified as a source of information for the Committee on individuals or entities who:

(a) Impede the peace process;

(b) Constitute a threat to stability in Darfur and the region;

(c) Commit violations of international humanitarian law or human rights law or other atrocities, including sexual and gender-based violence;

(d) Violate the measures implemented by Member States in accordance with paragraphs 7 and 8 of resolution 1556 (2004), and paragraph 7 of resolution 1591 (2005) as implemented by a State (all of which relate to the arms embargo);

(e) Are responsible for offensive military overflights.

6. By resolution 2091 (2013), the Security Council also requested the Panel:

(a) To continue to coordinate its activities as appropriate with the operations of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and with international efforts to promote the political process in Darfur;

(b) To assess in its interim and final reports:

(i) Progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2005), paragraph 7 of resolution 1591 (2005) and paragraph 10 of resolution 1945 (2010);

(ii) Progress towards removing impediments to the political process;

(iii) Threats to stability in Darfur and the region;

(iv) Violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence and grave violations and abuses against children;

(v) Other violations of the above-mentioned resolutions;

(c) To provide the Committee with information on the individuals and entities meeting the listing criteria in paragraph 3 (c) of resolution 1591 (2005);

(d) To continue to investigate the role of armed, military and political groups in attacks against UNAMID personnel in Darfur, noting that individuals and entities who plan, sponsor or participate in such attacks constitute a threat to stability and may therefore meet the above-mentioned listing criteria.

7. On 1 April 2013, the Secretary-General appointed the following experts to serve on the Panel: Issa Maraut (France, Coordinator and regional expert), Luis Ángel Benavides Hernández (Mexico, international humanitarian law expert), Guido Potters (Netherlands, aviation expert), Ghassan Schbley (United States of America, finance expert) and Adrian Wilkinson (United Kingdom of Great Britain and Northern Ireland, arms expert).

8. The Panel wishes to acknowledge the contributions of Dakshinie Ruwanthika Gunaratne, a sexual and gender-based violence consultant, and Mohamed Mouti, an interpreter.

II. Methodology

9. The Panel followed a professional and technical methodology underpinned by the maintenance of transparency, objectivity, impartiality and independence. It worked in full conformity with the best practices and methods recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see S/2006/997). Emphasis was placed on adherence to standards regarding transparency and sources, documentary evidence, corroboration of independent verifiable sources and providing the right of reply to interlocutors. The Panel based its reasoning on a balance of probability to establish the truth of a disputed fact.[1]

[1] Terminology relating to the probability of an event uses a qualitative statement to reflect as associated probability or confidence percentage (certain, > 99 per cent; almost certain, 90-98 per cent; highly probable or likely, 75-89 per cent; probable, 55-74 per cent). The term awarded is based on the quality of quantitative and qualitat'ive evidence that the Panel has seen and/or had access to.

10. The Panel placed importance on the rule of consensus and agreed that, if differences and/or reservations arose during the development of reports, it would adopt the text, conclusions and recommendations only by a majority of four of the five members.

III. Programme of work

11. After the introductory meeting with the Committee in New York on 18 April 2013, the Panel developed a programme of work to carry out its mandate.

12. The Panel primarily focused on field investigations, with four experts (arms, aviation, international humanitarian law and regional/Coordinator) deploying at regular intervals to the five states of Darfur. They conducted three field missions to Khartoum and Darfur in 2013. In total, the four experts (the fifth having been denied entry into the Sudan) spent more than five and a half months in Darfur and Khartoum.

13. To identify the impact of the regional environment, the Panel made several visits to Chad, South Sudan and Uganda for consultations with the authorities and other actors. The Panel also visited Koukou refugee camp in Chad. In Ethiopia, the Panel held discussions with the African Union Peace and Security Council and attended as an observer a technical workshop on all-inclusive peace and security in Darfur, co-organized by the Joint Mediation Support Team and the Intergovernmental Authority or Development for Darfur non-signatory armed groups, which was held in Addis Ababa from 9 to 11 December 2013.

14. The sexual and gender-based violence consultant joined the Panel on 24 September 2013 and conducted investigations in Darfur from 1 October to 13 December.

15. The time spent in the field enabled the Panel to focus its investigations, in accordance with its mandate, on the following areas:

(a) Reported armed violence affecting the civilian population as a result of clashes between the Government and armed opposition groups, violence by the Government against civilians and clashes among rebel factions;

(b) Technical analysis of new improvised ammunition types, analysis of statistical databases on conflict-related issues and investigation of routine breaches of the arms embargo by all belligerents;

(c) Maintenance of data on reported air attacks against civilian areas and analysis of aviation-related material;

(d) Investigation of specific cases of alleged violations of international humanitarian law;

(e) Attacks on UNAMID personnel and humanitarian workers;

(f) The killing of Mohamed Bashar, the leader of a faction of the Justice and Equality Movement (JEM/Bashar), and some intertribal clashes;

(g) Recruitment of minors by armed parties to the conflict;

(h) Violations of the travel ban by some designated individuals;

(i) The funding of armed groups;

(j) Impact of the resurgence of intertribal conflicts and monitoring the implementation of the Doha Document for Peace in Darfur, the impediments to the Doha Document and the peace process and the efforts to reenergize the peace dynamics.

16. To maintain impartiality and the same degree of contact with the main parties to the conflict (the Government and the armed opposition groups), the Panel regularly met two of the components of the Sudanese Revolutionary Front (SRF): the Sudan Liberation Movement led by Minni Arcua Minnawi (SLM/MM) and the Justice and Equality Movement led by Jibril Ibrahim (JEM).[2]

IV. Operating environment and cooperation

17. The Panel was generally content with the administrative and logistical support, access and cooperation provided to its members by UNAMID during their visits to the Sudan, including in Darfur. Similarly, the Panel was content with the general level of administrative support offered by the Government of the Sudan. The Panel was also satisfied with the cooperation of Member States.

A. Government of the Sudan

18. Representatives of the Government regularly showed some signs of "annoyance" with the work of the Panel. They initially complained about what they termed the "lack of objectivity" of the Panel's previous final report (S/2013/79) and protested about the fact that an expert (referring to the finance expert) who had not even travelled to the Sudan had signed it.

19. The national focal point of the Government, General Mohammad Mustafa al-Dabi, who chairs a national coordination committee for the implementation of resolution 1591 (2005), stated that "the Government does not want the Panel to work for the Government", but does expect it to work with transparency and objectivity. He urged the Panel to adopt a balanced posture. In his view, the mandate of the Panel is not to underestimate the difficulties that Darfur continues to face, but rather to provide a fair diagnosis, based on objective criteria, of the humanitarian situation in the camps for internally displaced persons. His initial position and attitude notwithstanding, the relations between the Panel and the national focal point remained courteous and cordial. He facilitated the administrative aspects of the Panel's mission in the Sudan and demonstrated his willingness to cooperate by taking the following specific steps:

(a) Arranging, within short time frames, for the issuance of single-entry visas, valid for two months from the date of entry into Sudanese territory, to four of the five experts (the finance expert continuing to be denied entry to the Sudan). When in the Sudan, the Panel obtained visa extensions without difficulty and as necessary;

[2] The Panel's meetings were held in Kampala (twice), Washington, D.C., London, Paris and Addis Ababa. The Panel also met individuals representing the Sudan Liberation Movement led by Abd al-Wahid less regularly.

(b) Immediately granting Darfur entry permits to the Panel members valid for the full period of their stay in Darfur;

(c) Specifically requesting that the Minister of Justice and the governors of the five states of Darfur extend their full cooperation to the Panel and also receive the Panel with minimal delay;

(d) Requesting relevant ministries, organizations and agencies to provide answers to issues concerning specific areas of expertise addressed by the Panel to the Government through its Permanent Mission to the United Nations in New York. The representatives of the appropriate organizations have orally responded to most of the questions.

20. In general, those developments helped to ensure the smooth progress of the Panel's missions. The cooperation of the Government did not always meet the expectations of the Panel, however, as the following demonstrates:

(a) Security constraints imposed by the Government resulted in a number of movement denials with inadequate explanation of the cause. The use of the blanket term "security reasons", with no further clarification, to deny movement of Panel members, even as part of a wider movement constraint imposed on UNAMID, is unacceptable. These movement restrictions affected the Panel's ability to reach some areas, such as the Jebel Marra, within a useful time frame, or indeed even at all and therefore restricted investigation opportunities for the Panel;

(b) Although the Government provided some detailed information of interest and use to the arms expert, it did not accede to numerous requests for physical access to captured weapons and ammunition;

(c) The Government did not accede to the request for information concerning civil aviation that was submitted four times between June and December 2013;

(d) The Panel formally requested information regarding alleged perpetrators of some of the attacks on UNAMID and JEM/Bashar and the intertribal fighting. It also requested to attend any hearing of the special courts for crimes in Darfur and to visit the Khartoum North Common Prison (also known as Kober Prison).[3] The Panel received no response.

21. The Government has maintained an uncompromising attitude towards the situation of the finance expert. The national focal point stated that the expert had "illegally entered Sudanese territories" and was thus "persona non grata for reasons related to national security". Notwithstanding the evidence to the contrary later provided by the Coordinator to the national focal point, the Government maintained the ban throughout the mandate period. The Government had no objection to the finance expert being replaced by "an individual from the same country".

22. There was more positive cooperation from other elements of the Government. There was a transparent and frank dialogue with the Special Prosecutor for crimes committed in Darfur, whom the Panel met on six occasions. Nevertheless, the resources of the Special Prosecutor are limited and he is currently investigating only a small number of cases compared with the many alleged violations of international

[3] Letters from the Panel to the Government dated 20 November 2013. Annex XVIII to the present report contains a summary of the Panel's correspondence.

humanitarian law. The Humanitarian Aid Commission was extremely willing to cooperate with the Panel and, some conflicting views notwithstanding, there was an open and honest dialogue with the Advisory Council for Human Rights and the National Commission for International Humanitarian Law. Again, a lack of resources limits the ability of the Humanitarian Aid Commission to coordinate the delivery of the necessary humanitarian support.

B. African Union-United Nations Hybrid Operation in Darfur

23. UNAMID was fully supportive of the progress of the Panel's mission on the ground. The work of the Panel progressed at a steady pace with the full administrative, technical and logistical support of UNAMID, which made air and ground transport assets available to the Panel when requested. UNAMID team sites, some of which were located in areas of tension, were also mobilized to support the Panel.

24. The Panel conducted in-depth field investigations into the attacks against UNAMID peacekeepers and subsequently discussed its investigation and findings with the relevant components of UNAMID.

25. The Panel appreciates the cooperation of the United Nations Mission in South Sudan, which exchanged information, provided logistical support and facilitated the experts' missions in South Sudan.

26. All United Nations agencies deployed to Chad, Ethiopia, South Sudan, the Sudan and Uganda provided substantial support and contributed to the successful conduct of the Panel's mission.

C. Cooperation with Member States

27. The Panel appreciates the cooperation of those Member States that welcomed the Panel during its visits, namely Chad, Ethiopia, South Sudan, Uganda, the United Arab Emirates and the United Kingdom. Interviews were held at the ministerial level in Chad and South Sudan. Member States, with few exceptions, were generally very good in responding in a timely manner to the Panel's formal requests for information.

V. Progress towards reducing violations of the arms embargo

28. Pursuant to paragraphs 7 and 8 of resolution 1556 (2004), paragraph 7 of resolution 1591 (2005) and paragraphs 7 to 9 of resolution 1945 (2010), the Panel focused on a range of monitoring and investigation activities to identify any violations of the arms embargo by the Government of the Sudan or Member States during the period of its mandate. The Panel also examined specific conditions applied by Member States in the end-use certification for sales and supplies of military equipment to the Government as required by paragraph 10 of resolution 1945 (2010).

A. Conflict dynamics and logistical requirements for weapons and ammunition

29. The dynamics of the conflict in Darfur remain increasingly complex and fluid in terms of the engagement of individual groups and their use of force. The same groups of individuals may act under the banner of different organizations, depending on the operational context of their activities on the ground at a given time. This makes it difficult to clearly identify and label groups responsible for certain actions and is why there remain many incidents attributed to unidentified groups.[4] Direct armed violence between the Sudanese Armed Forces, their proxy Janjaweed[5] or militia and armed opposition groups continues to be infrequent. During the period from 17 February 2013 to 17 January 2014, there were 24 reported armed attacks[6] initiated by the national armed forces, while armed opposition groups initiated 85 such attacks[7] against government security forces. They were all minor-level, insurgent-type skirmishes compared with the overall conflict spectrum.[8] A total of 16 peacekeepers were killed and 32 injured during the mandate period as a result of 12 specific attacks by as yet (and in many cases, often) unknown or unconfirmed perpetrators (see table 1).

Table 1
Summary of casualties from the African Union-United Nations Hybrid Operation in Darfur owing to armed violence

Date	*Location*	*Fatalities*	*Persons injured*	*Unit*	*Remarks*
19 April 2013	Muhajeria	1	2	NIBATT34	Attack on United Nations team site
1 May 2013	Ed Al Fursan	–	1	EGYBATT2	Attack on United Nations patrol
3 July 2013	Um Zeifa	–	3	NIBATT39	Ambush of United Nations patrol
13 July 2013	Khor Abeche	8	16	TANZBATT	Ambush of United Nations patrol
25 August 2013	Graida	–	2	ETHBATT9	Attack on United Nations patrol
26 August 2013	Mumjeri	–	3	NIBATT38	Attack on United Nations patrol
7 October 2013	Ed Al Fursan	–	1	UNAMID PKF	Knife attack by civilian
11 October 2013	El Fasher	1	1	Sierra Leone Police	Carjacking
13 October 2013	El Geneina	3	1	SENFPU	Ambush of United Nations patrol
11 November 2013	Shangil Tobay	–	2	BANFPU	Attempted robbery of United Nations team site

[4] See annex I to the present report for an illustrative matrix of the various armed groups and their possible affiliations during the use of force in both conflict and criminal situations.

[5] The term "Janjaweed" is used herein to indicate an armed group supplied and armed by the Government and acting in direct military support of the Government in the territory of Darfur. It neither indicates nor proposes membership of any particular tribal or ethnic group.

[6] See annex II to the present report for a summary of the attacks. The Panel has included data from 1 January 2013 in some of the data annexes that follow. Although that date falls under the previous mandate period, it allows for a future annual and quarterly comparison of armed violence levels and thus for an improvement in future trend analysis.

[7] See annex III to the present report for a summary of the attacks.

[8] Defined by the Panel as peace - civil disobedience – humanitarian operations - minor insurgency – peace support operations - major insurgency – limited war – general war.

Date	*Location*	*Fatalities*	*Persons injured*	*Unit*	*Remarks*
24 November 2013	Sanabil	1	–	RWANBATT40	Attack on United Nations patrol
29 December 2013	Graida	2	–	Police advisers (Jordan and Senegal)	Ambush. Perpetrators detained by the Government[a]
Total		**16**	**32**		

[a] The Government captured an alleged suspect and killed another on 1 January 2014. "Sudan confirms arrest of suspect involved in killing of UNAMID peacekeepers", *Sudan Tribune*, 1 January 2014. Available from www.sudantribune.com/spip.php?article49419. The other incidents reported remain unpunished by the Government.

30. Of concern, though, are emerging reports of an ever-increasing number of attacks by tribal armed groups or criminal groups against the civilian population, such as the attack at the Labado water point on 16 May 2013 by unidentified attackers on horseback that resulted in a civilian fatality. Of significance was the recovery of a 7.62 x 39 mm cartridge case dated 2013, manufactured in Khartoum (see para. 40).

31. The national armed forces are implementing a strategy of fighting a proxy war using mainly lightly armed Janjaweed, militia and other tribal armed groups, with regular ground troops mainly being used reactively or to protect their own logistical assets.[9] Some larger-scale national armed forces and Joint Border Force (Chad/Sudan) operations were conducted in the last quarter of 2013 in an attempt to reduce the levels of intertribal violence, which may be having a positive impact on the security environment. The level of logistical resupply required to sustain armed operations by all belligerents at the current level of conflict intensity remains low,[10] with the predominant use of small arms and light weapons.[11] The air force continues to support ground operations by the army or its tactical objectives by aerial bombardment.

32. The primary types of weapons used by all sides during armed attacks have remained consistent since 2009, with the predominant use of small arms and light weapons on the ground. Although the Panel has seen evidence of heavy weapons systems belonging to the national armed forces in Darfur, such as T-59 main battle tanks, there were no indications of their offensive use during 2013.

33. The Panel saw no evidence during the current mandate period of any re-emergence of armed opposition groups' traditional external resupply routes from Chad and Libya. The Panel has no credible evidence of any resupply during 2013 to armed opposition groups from South Sudan or any evidence at all of resupply from the Central African Republic. The groups' primary route of resupply is currently

[9] Based on information received from a wide range of UNAMID team sites and personnel. It should be noted that the strategy is not always totally effective because the Government often loses control of the sponsored groups (see para. 212).

[10] For example, a pallet weighing 1 ton containing 7.62 x 39 mm small arms rounds, which can easily be transported in the back of a light 4 x 4 vehicle, equates to approximately 27,500 rounds.

[11] Small arms are those of less than 20 mm calibre, while light weapons are those of more than 20 mm and less than 100 mm calibre.

through capture from the national armed forces after successful targeted armed engagements.[12] Three examples of that resupply option follow.

34. First, SLA/MM claims that its attacks on Labado and Muhajeria on 6 April 2013 resulted in the capture of more than 243 AK-type 7.62 mm assault rifles, 14 DShK-type 12.7 mm medium machine guns and a smaller number of mortars and anti-tank weapons. Although these data are from a single source,[13] there is no reason to disbelieve the claim based on the level of detail provided. Credible estimates[14] of the number of active SLA/MM fighters in Darfur, for example, now range from 550 to 2,500, which would mean that in a single attack SLA/MM captured sufficient assault rifles to equip 10 to 44 per cent of its fighters with individual personal weapons, while adding to its stocks of team-operated weapons.

35. Second, the Sudan Liberation Army faction led by Ali Karbino (SLA/AK)[15] claims that its attack on a national armed forces patrol at Um Hashaba on 10 September 2013 resulted in the capture of eight light vehicles and an undisclosed number of small arms and light weapons. Third, a similar attack against the national armed forces at Um Sa'ouna on 13 October 2013 by SLA/AK resulted in the deaths of 19 armed forces personnel and the capture of 13 light vehicles.[16] It is probable that this particular armed opposition group currently consists of no more than 60 to 80 fighters, although it may be growing in numerical strength.

36. Some data have been provided in confidence to the Panel by the Government as to the quantity of weapons and ammunition captured by the national armed forces from armed opposition groups. The quantities are small, however, and are mainly limited to larger, vehicle-mounted systems, such as the 82 mm B-10 recoilless rifle, which have been left on vehicles that have been destroyed and abandoned by armed opposition groups.

37. The ready availability of weapons in Darfur is, however, illustrated by the fact that the Joint Border Force reportedly seized 424 weapons on 28 November 2013 during a single cordon, search and seize operation around Um Dukhun market.

Arms supply chain

38. One strategic impact of the type of conflict and the tactics of the armed opposition groups is a significant reduction in the logistical requirements for new weapons and replacement ammunition compared with two or three years ago. The indigenous capability of the national armed forces to produce small-calibre and medium-calibre weapons and ammunition from the Khartoum-based Military Industrial Corporation manufacturing facilities[17] means that resupply from external sources is really now required only for very specific weapons systems, such as

[12] Confirmed at a meeting with SRF representatives in Kampala on 14 October 2013.

[13] See www.sla-sudan.com. Information extracted from a statement by an SLA/MM spokesperson of 7 April 2013. Confirmed in a meeting in Kampala with SLM/MM on 14 October 2013.

[14] Government, United Nations and other confidential sources.

[15] SLA/AK was an operational group within SLA/AW, but evidence is emerging that it may in fact be a new armed opposition group.

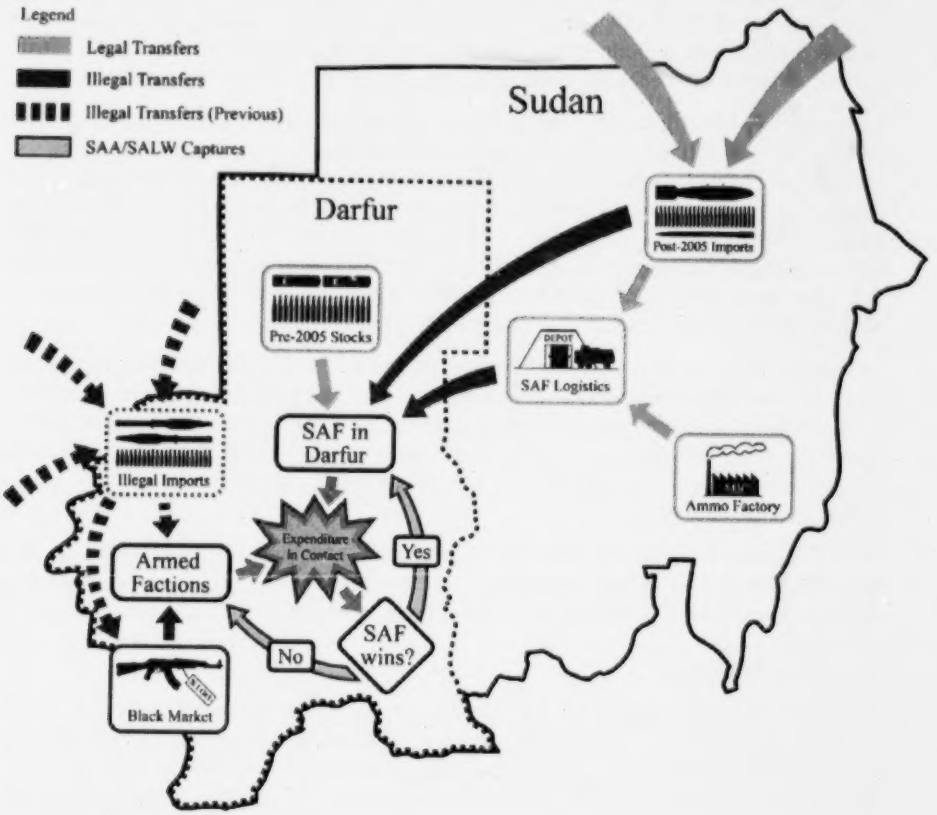
[16] A summary of reported weapon and equipment captures by armed opposition groups from government sources can be found in annex IV to the present report.

[17] The Alshagara industrial complex in Khartoum is the primary production facility for small arms, light weapons and ammunition. Its location is near 15°02'N 30°28'E. The website of the Military Industrial Corporation is www.mic.sd.

grenade launchers, free-flight rockets or aircraft bombs. The remaining logistical requirements can be met from Sudanese capability. Figure 1 illustrates the current flow process for small arms ammunition and small arms and light weapons in the Sudan and Darfur.

Figure 1

Small arms ammunition and small arms and light weapons flow process for Darfur



Source: Panel.

39. The supply chain for these types of transfers falls within the borders of the Sudan and thus remains totally under the control of the national authorities. Without their cooperation, prima facie evidence levels are difficult to reach. The ability of the Panel to obtain incontestable evidence of a significant proportion of the transfer of small arms and light weapons, in addition to the related ammunition, to Darfur is therefore limited.

B. Small arms and light weapons ammunition violations

40. During its mandate, the Panel obtained physical evidence, in the form of recovered cartridge cases, of the use of the post-embargo manufactured small arms and light weapons ammunition summarized in table 2.

Table 2
Summary of new small arms and light weapons ammunition violations identified by the Panel

Calibre	*Markings*	*Quantity*	*Date of manufacture*	*Consistent with manufacturer*[a]	*Date first seen in Darfur*
35 x 32 mm	AL 101 07 1	1	2007	Mudanjiang factory,[b] China	2013
12.7 x 108 mm	11 07	1	2007	Mudanjiang factory, China	2009
7.62 x 39 mm	1 39 13	1	2013	Military Industrial Corporation, Sudan	2013
7.62 x 39 mm	1 39 12	2	2012	Military Industrial Corporation, Sudan	2013
7.62 x 39 mm	1 39 012	1	2012	Military Industrial Corporation, Sudan	2013
7.62 x 39 mm	1 39 10	1	2010	Military Industrial Corporation, Sudan	2013
7.62 x 39 mm	71 06	1	2006	Unknown factory, China	2010
7.62 x 39 mm	811 08	1	2008	Unknown factory, China	2013

[a] The markings, materials and design are consistent with this particular manufacturer. The similarities are such that it is highly probable that the ammunition can be attributed to this particular manufacturer.
[b] Also known as factory 11.

41. Each transfer into Darfur of these particular batches of small arms ammunition is a breach of the arms embargo by whichever belligerent transferred the ammunition. Investigations into the provenance of the ammunition continue and the Panel intends to request further information from Member States.

42. The ability of the Military Industrial Corporation to manufacture small arms ammunition and then progress it down the supply chain within months is testimony to the efficiency and effectiveness of the Government's military logistic system. It is also highly likely that the strategic stockpiles claimed by the Government as having been present in Darfur since 2005[18] are actually being regularly resupplied from Khartoum in violation of the arms embargo.

C. Previous transfers of improvised air-delivered munitions

43. Technical analysis of the capabilities and characteristics of improvised (locally, but industrially, manufactured) air-delivered munitions[19] was undertaken by the Panel. The analysis included photogrammetry using imagery from 2009 to

[18] At a meeting with the Panel on 13 June 2013, representatives of the Government claimed that ammunition from pre-existing strategic stockpiles was used to sustain the national armed forces in Darfur. This is clearly not the case, as the presence of Sudanese manufactured small arms ammunition from 2010, 2012 and 2013 demonstrates.
[19] First reported by the Panel in paragraph 85 of its report of 20 September 2010 (S/2011/111).

2013 to determine dimensions and explosives engineering to evaluate capability.[20] Three separate types of improvised air-delivered munitions were identified by the Panel and designated as Type 1A (see figure 2), Type 1B and Type 2 (see figure 3). The Panel does not yet have any quantitative indications of the frequency with which these weapons are currently used. It is probable that such weapons were used in some of the air strikes summarized in paragraph 84.

Type 1 improvised air-delivered munitions

44. The Type 1A and Type 1B air-delivered munitions have cylindrical-shaped bodies with no suspension lugs fitted to the main body of the munitions. This means that they are specifically designed to be rolled from the cargo hold of aircraft, rather than to be dropped from the external weapon hard points of close air support or bomber aircraft. This provides further evidence in support of the Panel's findings that some of the Antonov An-26 transport aircraft belonging to the Sudanese air force are used in the bomber role (see paras. 107-115).

45. Technical analysis by photogrammetry has identified the external dimensions of the Type 1A munitions and assessed that they contain an explosive filling of approximately 23.8 kg of high explosive. The Type 1B munitions contain an explosive filling of approximately 23.3 kg of high explosive. Owing to the effects of parallax, an accuracy of +/-10 per cent applies.

46. Explosives engineering analysis predicts that for the Type 1A munitions the blast overpressure will result in 99 per cent fatalities at a radius of up to 5.6 m from the point of detonation, with permanent hearing damage expected out to a radius of 21.9 m.[21,22] Fatalities and injuries from fragmentation effects can be expected at far greater ranges, however.[23] The Type 1A munitions have a damage effectiveness of approximately 54.7 per cent of an OFAB-100 aircraft bomb.[24] The findings for the Type 1B munitions are broadly similar.

47. From the imagery, it is almost certain that the munitions are fitted with an AM-A fuze. Belarus has confirmed that it supplied 10,000 such fuzes to the Sudan between 2009 and 2011.[25] The Panel concludes that it is therefore highly probable that a significant proportion of those 10,000 AM-A aviation fuzes are for use in the Type 1 munitions or similar improvised munitions. The transfer of the AM-A fuzes

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[20] The error margins of less than 10 per cent are stated in the detailed technical analysis contained in annex V to the present report, which has been included to illustrate the methodology used. In the field of explosive effects, where there are so many variables once a weapons system is used, this is an acceptable level of accuracy. Annex V and others are abridged in respect of confidentiality agreements with the sources.

[21] See A. Sedman, "Plot showing estimates of man's tolerance to blast in terms of TNT charge size and distance" (Porton Down, United Kingdom, Defence Science and Technology Laboratory, 2006).

[22] See C. N. Kingery and G. Bulmash, "Airblast parameters from TNT spherical air burst and hemispherical surface burst", Technical Report ARBRL-TR-0255 (Ballistics Research Laboratory, Aberdeen Proving Ground, Maryland, United States, April 1984). Assuming peak reflected pressure surface burst.

[23] The Panel does not yet have sufficient information to model this aspect of the device's capability with any degree of acceptable accuracy.

[24] The net explosive content of an OFAB-100 bomb is 43.5 kg (TNT equivalent).

[25] Information provided on 15 August 2013 in response to the request of the Panel dated 7 May 2013.

fitted to the Type 1 munitions into Darfur is therefore almost certainly a breach of sanctions by the Sudan; the fuzes were delivered by a Member State conditional on their non-use in Darfur. The full technical analysis of the Type 1 munitions is found in annex V to the present report.

Figure 2
Example of Type 1A munitions

Source: Confidential.

Type 2 improvised air-delivered munitions

48. The Type 2 munitions are slightly longer than the Type 1 munitions and have been locally manufactured with two suspension lugs, which suggests that they are primarily designed to be dropped from the external hard weapons mounts of an aircraft. Technical analysis by photogrammetry leads to the conclusion that they contain an explosive filling of approximately 27.6 kg of high explosive. Owing to the effects of parallax, an accuracy of +/-10 per cent again applies. From the imagery, it is possible that this type uses an AVU fuze as used on the OFAB-100 aircraft bomb.

49. Explosives engineering analysis predicts that blast overpressure will result in 99 per cent fatalities at a radius of up to 5.9 m from the point of detonation, with permanent hearing damage being expected out to a radius of 23.0 m.[21,22] Fatalities and injuries from fragmentation effects can be expected at greater ranges.[23] The Type 2 munitions have a damage effectiveness of approximately 63.6 per cent of an OFAB-100 aircraft bomb.[24]

50. The transfer of the Type 2 munitions into Darfur is highly probably a violation of the sanctions measures by the Sudan, given that the Committee has granted no exemption request for the transfer of any such munitions into Darfur to date.

Figure 3
Example of Type 2 munitions

Source: Confidential.

Manufacturing factors for improvised air-delivered munitions

51. The Panel has seen no evidence of any industrial facility in Darfur capable of both manufacturing casings for improvised air-delivered munitions and then safely casting trinitrotoluene (TNT) explosive into them to produce a finished product. It is very probable that commercially available steel tubing for mainly civilian use was used to manufacture the main body, given that this would significantly simplify supply and fabrication issues. Such tubing is supplied in standard sizes, as laid down by national or international standards.[26] It is therefore unlikely that the manufacturer or manufacturers would use non-standard tubing.

52. The nearest standard commercial size to that obtained through photogrammetry is Nominal Pipe Size 8 at Schedule 60 thickness.[27] Its dimensions are between 1.8 and 6.3 per cent of those obtained through photogrammetry, which all fall within the 10 per cent error margin.

[26] For example, American Standards Association Nominal Pipe Size in the United States. The European Union equivalent standard (EN 10255) covers only up to Nominal Pipe Size 6 at nominal diameter of 150 mm and outside diameter of 168 mm.

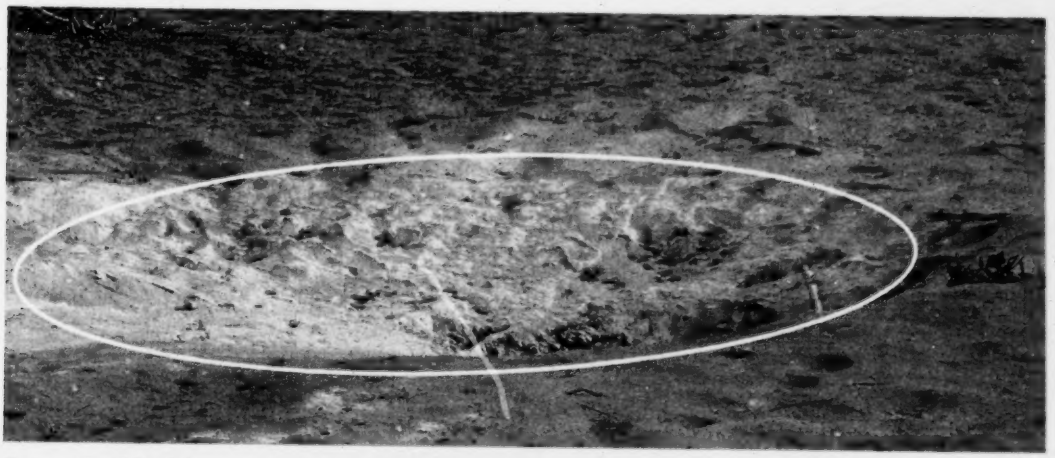
[27] The Panel has seen an example of earlier-design improvised air-delivered munitions manufactured from Nominal Pipe Size 10 at outside diameter of 273 mm. The device has not been analysed or reported in the report because it is old and thus historical. No evidence has been seen by the Panel of any recent deployment of these particular devices.

D. Identification of air-delivered ordnance by crater analysis

53. The Panel used an explosives engineering technique of crater analysis to identify the type of ordnance used in particular attacks. On 11 April 2013, the UNAMID team site at Labado observed a Sudanese air force aircraft in the area and later heard four explosions. Further explosions were also heard by the team site on 13 April 2013. On 14 April 2013, an eyewitness reported that an aircraft had dropped two explosive devices near his three children who were tending animals. The children were uninjured, but 5 sheep were killed and 15 injured.

54. The points of impact for two explosions were located by a UNAMID patrol on 14 April 2013. The arms and aviation experts visited the scenes on 16 May 2013 to record further technical data on the craters. The craters were measured as approximately 2.4 x 0.6 m[28] with a margin of error of 5 per cent for the crater diameter (see figure 4).

Figure 4
Crater on 14 April 2013



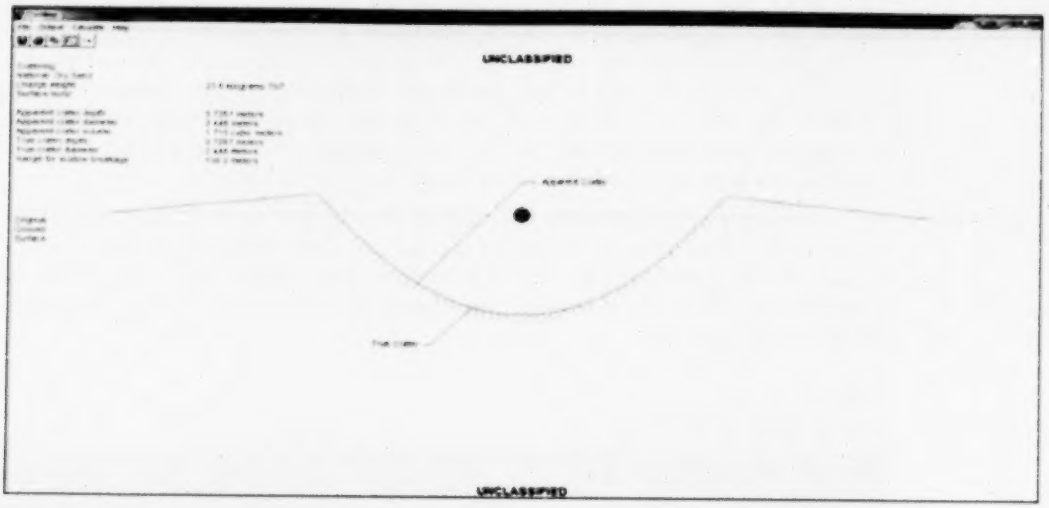
Source: Confidential.

55. Crater analysis using the CONWEP[29] system predicts that an explosive device containing 23.4 kg of TNT would cause such a crater. This is a much lower explosive content than any conventional air-delivered weapons system known to be in the possession of the Sudanese air force; for example, the OFAB-100 aircraft bomb has an explosive content of 43.5 kg. CONWEP was then used to predict the effects of the Type 1A munitions (23.8 kg) (see figure 5). A crater diameter of 2.45 m with an apparent depth of 0.73 m was predicted for this type of device detonating on the surface; such dimensions are within the margin of error of 5 per cent for the diameter.

[28] The apparent depth immediately after the explosion was more difficult to determine, given that it was obvious that wind-blown sand had begun to fill up the craters by the time of the Panel's inspection.

[29] Conventional Weapons Effects Programme software (David Hyde), 2001 version.

Figure 5
CONWEP prediction for Type 1A munitions (23.8 kg)



Source: CONWEP.

56. The Panel therefore concludes that it is highly probable that an example of the Type 1A munitions was used in the attack. The delivery technique and design of such munitions mean that the circular error probability[30] radius would be higher than for an aircraft bomb of a more modern design and hence accuracy would be poor.

57. The transfer of the AM-A fuzes fitted to the Type 1A munitions used for this attack is almost certainly a breach of sanctions by the Sudan, given that the AM-A fuzes were imported and subsequently used in Darfur, having been legally delivered by a Member State conditional on their non-use in Darfur. Full technical analysis can be found in annex VI to the present report.

E. Ammunition storage at El Fasher airport

58. The Sudanese air force maintains a forward operating base at El Fasher airport immediately adjacent to the civilian flight operations, where it has routinely stored a significant amount of high-explosive ammunition in the open (see figure 6). During the present mandate, the Panel observed fluctuating stock levels at the ammunition storage area, indicative of the routine use (for either operations or training) and resupply of ammunition into Darfur by the national armed forces, and hence very likely routine breaches of the arms embargo.

59. The ammunition also presents a significant risk to civilians, aircraft and flight operations owing to its location, the explosive quantity and the inappropriate level of stockpile management expertise being demonstrated by the way in which it is stored.

[30] Circular error probability is a measure of a weapon system's precision or accuracy. It is defined as the radius of a circle, centred about the mean, whose boundary is expected to include the landing points of 50 per cent of the warheads.

Figure 6
Ammunition at El Fasher forward operating base

Source: Panel (May 2013).

Note: The munitions circled in white are RBK-500 cluster bomb units. The Panel has evidence of previous use of cluster munitions in Darfur. Render-safe operations have taken place on such munitions as recently as 2012. The Panel does not, however, have evidence of the exact dates of use of the munitions. It continues to investigate. The Sudan is a non-signatory to the Convention on Cluster Munitions. In April 2012, a representative of the Permanent Mission of the Sudan to the United Nations Office and other international organizations in Geneva denied that the Sudan either possessed or used cluster munitions. The use of cluster munitions is now generally accepted to be in violation of the principles of international humanitarian law.

60. From the imagery, it was possible to identify the type of ammunition being stored and hence the weight of explosives present on certain dates.[31] On one particular date (5 June 2013), a total of 13.2 tons (all-up weight)[32] of unpackaged ammunition could be positively identified among the large stockpile. The explosion consequence analysis undertaken by the Panel is therefore a better case scenario than may occur in reality.[33]

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[31] Shortage of space prevents the inclusion of the full analysis herein, but it is available upon request from the Panel.

[32] All-up weight is the gross weight of the ammunition and its explosive content.

[33] The number of variables involved makes it extremely difficult to accurately establish the consequences in the event of an undesirable explosion. Nevertheless, the explosion consequence analysis summary included herein provides an indication of the scale of the problem and the potential impact on UNAMID staff and operations.

61. An undesirable explosion[34] could occur through external fire, lightning strike, human error (mishandling), explosive degradation, aircraft fuel fire or sabotage, among other things. A mass explosion of all ammunition is unlikely; the most likely scenario is that the resultant fires would mean sporadic explosions of individual items after the initial major blast.

62. The fluctuating stockpile levels mean that the explosive risk changes routinely, but the presence of this ammunition has been a constant factor over the past few years[35] and the international community should be aware of the real explosive risk that it presents if the storage area continues to be used and an explosion occurs. There is a humanitarian imperative to save life. Although many civilians are highly likely to be safe from the long-term medical effects of the immediate blast, they are almost certainly extremely vulnerable to fragmentation injuries. All civilian aircraft are at significant risk of major damage from both the blast and fragmentation. An aerial photograph of the at-risk area can be found in annex VII to the present report. The destruction of civilian aircraft and the closure of El Fasher airport would have a negative impact on the logistical and movement capabilities of all agencies and organizations working in support of the peace process.

63. It is the technical and engineering judgement of the Panel that when the ammunition is stored at the El Fasher forward operating base in the immediate vicinity of the aircraft it presents a highly significant risk to civilian flight operations. The quantified risk is likely to be in the order of magnitude of 10^{-3}, which would not be considered to be tolerable in any advanced manufacturing or industrial process.[36]

F. End-use certification

64. The Panel has seen copies of end-user certificates supplied by the Sudan that contain text such as "will not be used for the purposes that contradict to the provisions of the UN Security Council adopted because of unsettled conflict in Darfur" and "Ministry of Defence of Sudan undertakes not to re-export the goods to any third party without express written consent of the authorized body of the ...".

65. Although the end-user certificates are signed, the signature of the responsible individual is unclear. Although some official appointments of authorizing individuals are included, it would be difficult to identify them without the cooperation of the Government.

66. The end-user certificates also do not contain full information on the ammunition being transferred. For example, AM-A aircraft bomb fuzes are referred to simply as aviation fuzes and no information is provided as to the lot or batch number. This makes tracing, should it be necessary, all but impossible.

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[34] This would not be an unusual event. Over the past 10 years, there have been, on average, more than 40 undesirable explosive events annually, worldwide, owing solely to poorly managed stockpiles of ammunition and explosives.

[35] Based on analysis of imagery in previous Panel reports.

[36] A suggested tolerable level of societal risk (S_R) should be that the maximum probability of an incident in any year that causes the death of 50 people or more shall not be less than 1 in 5,000 (1×2^{-4}). S_R units are the number of accidents per year. This suggested tolerable risk level is equivalent to one accident at the facility every 5,000 years that kills 50 people or more.

67. It is the view of the Panel that the inclusion of more detailed and specific language in the end-user certificates issued by the Government would be advantageous in:

(a) Making clear to all parties the exact provisions of the Security Council resolutions that apply to the supply of weapons systems and ammunition to the Government of the Sudan;

(b) Defining the exact type of ammunition being transferred with appropriate information on the lot or batch number;

(c) Potentially holding signatory individuals within the Government of the Sudan responsible should there be a subsequent violation of the relevant Security Council resolutions.

68. A more comprehensive text could be considered for inclusion in all future end-user certificates supplied by the Government of the Sudan, which would remove any potential for ambiguity or interpretation of the exact applicability of the certificates. Text similar to the following should be considered:

> We, the Ministry of Defence of the Government of the Sudan, hereby officially certify that the goods supplied or purchased under the auspices of this end-user certificate will not be physically transferred to Darfur or used on aircraft operating over the Darfur region in accordance with the provisions of paragraphs 7 and 8 of Security Council resolution 1556 (2005), paragraph 7 of Security Council resolution 1591 (2005) and paragraph 10 of Security Council resolution 1945 (2010), as updated in subsequent resolutions, unless approved in advance by the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan.

G. Case study: air attack at Tangarara on 29 November 2013

69. This incident is included in detail herein because it has identified clear evidence of sanctions violations and a very probable breach of international humanitarian law by representatives of the Government of the Sudan.

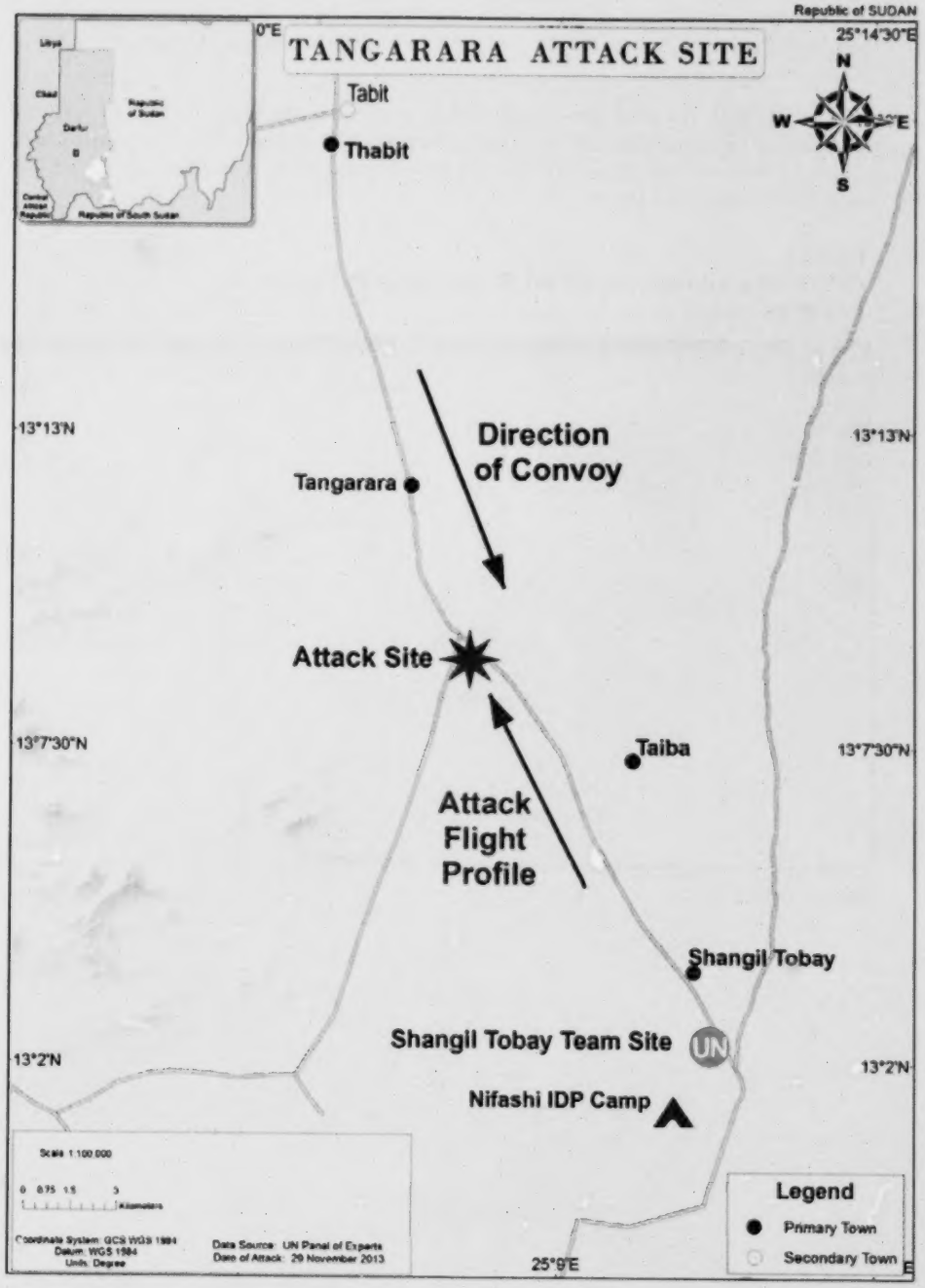
70. At approximately 5.30 p.m. on Friday, 29 November 2013, a three-vehicle civilian convoy of white Toyota Hilux 4 x 4 vehicles was attacked by two jet aircraft, resulting in the deaths of 14 civilians and serious injuries to 2 others. All the male passengers were wearing white robes and headgear because it was a Friday; the female passengers were wearing their traditional multicoloured robes. The civilians were in transit from Thabit to the Nifasha (Naivasha) camp for internally displaced persons. Figure 7 shows a destroyed Toyota Hilux 4 x 4.

Figure 7
Destroyed Toyota Hilux 4 x 4

Source: Confidential (1 December 2013).

71. One eyewitness stated that the aircraft made three attack runs at low level over the vehicles, discharging air-to-ground explosive rockets on each run. The runs were followed by two further low-level passes that were highly likely to have been for bomb damage assessment purposes. According to the same eyewitness, the second aircraft was in a protective holding pattern at altitude above the attack location. A second eyewitness stated that the aircraft made two reconnaissance passes, followed by three attack runs; both eyewitnesses agreed that five passes were made in total by one aircraft. On 1 December 2013, an UNAMID patrol discovered five craters, which means that at least six rockets were fired in the attack run that resulted in the destruction of the vehicle. The second eyewitness did not see a second aircraft. A map of the attack location is provided as map 1.

Map 1
Tangarara attack location

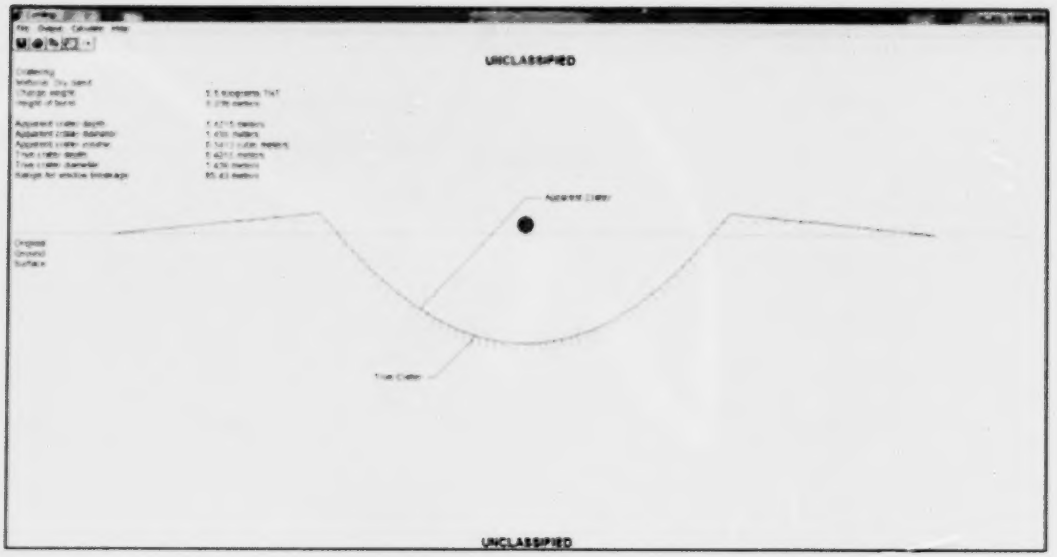


Source: Panel.

72. From photogrammetry of imagery taken four days after the attack (see figure 9), the crater size is estimated to be between 1.44 and 1.51 m in diameter, with an apparent depth of 0.41 m. Those dimension data were used in CONWEP to determine the predicted charge mass of the explosive device necessary to achieve a crater diameter of between 1.44 and 1.51 m and thus confirm the possible type of explosive device used.

73. CONWEP predicts that a surface-laid explosive charge of 5.5 kg of TNT on dry sand is required to result in a crater diameter of 1.504 m with an apparent crater depth of 0.45 m (see figure 8). The CONWEP prediction is within less than 5 per cent of the measured crater.

Figure 8
CONWEP prediction for S-8DM 80 mm rocket (5.5 kg) on surface (= 1.45 m crater)



Source: CONWEP.

Figure 9
Crater at scene of attack

Source: Confidential (1 December 2013).

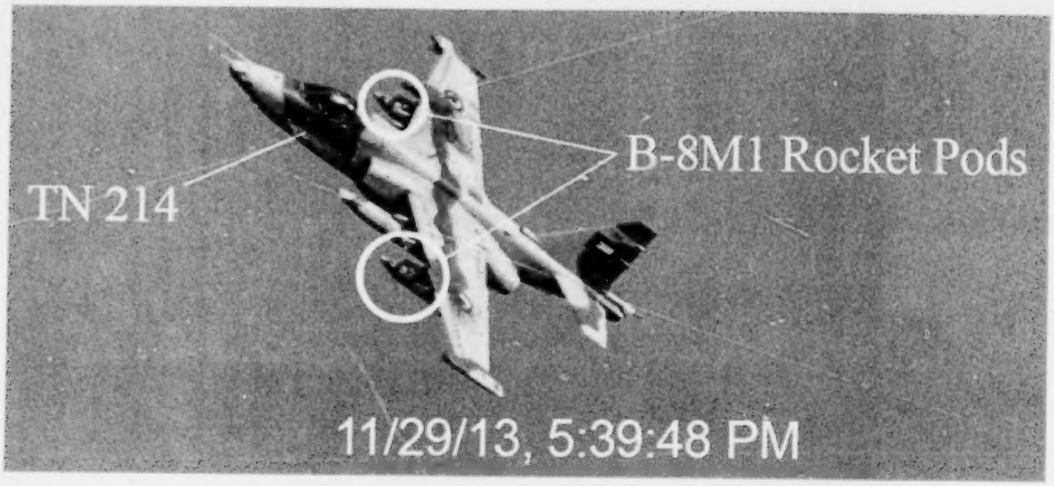
74. The crater analysis confirms that it is almost certain that the detonation of a device containing explosives with a TNT equivalence of 5.5 kg caused the craters observed at the scene of the attack. Given that the only weapon systems in the local area with such a warhead size were the S-8DM 80 mm rockets on the Su-25 aircraft, it is almost certain that this type of explosive device caused the craters.

75. The transfer to Darfur of the S-8DM 80 mm rockets used in this attack is almost certainly a breach of sanctions by the Sudan because the ammunition was imported and then subsequently used in Darfur, having been legally delivered by a Member State conditional on their non-use in Darfur.

76. The only delivery mechanism for this type of ammunition identified by the Panel in Darfur is the Su-25 attack/close air support aircraft routinely based at the El Fasher forward operating base. Eyewitnesses said that two jet fighters were used in the attack. One eyewitness was positive that the aircraft had a light blue underside; this is consistent with the paint scheme of the Su-25 aircraft routinely seen in Darfur. The Panel has imagery of two Su-25 aircraft (tactical Nos.[37] 208 and 214) returning to and landing at El Fasher within the same time period of the attack, the location being less than 6 to 8 minutes flying time from El Fasher in such an aircraft. The imagery also clearly shows that each aircraft was loaded with two B-8M1 rocket launcher pods (necessary to deploy the S-8DM 80 mm rockets), thus giving each aircraft the capability to carry 40 S-8DM rockets. This is certainly more than was probably used in the three attack runs. Figure 10 shows the aircraft with tactical number 214.

[37] The term "tactical number" replaces the term "tail number" used in previous reports.

Figure 10
Su-25 aircraft (tactical No. 214) returning to El Fasher



Source: Panel (29 November 2013).

77. It is therefore almost certain that an Su-25 attack/close air support aircraft (either tactical No. 208 or No. 214) based at the El Fasher forward operating base was used to deliver the ordnance. The Panel observed both aircraft as being airborne at the time, but it is not possible to determine which particular aircraft fired the lethal rockets.

78. The transfer into Darfur of the Su-25 attack/close air support aircraft, then used in an offensive role against civilians in Darfur, is almost certainly a breach of sanctions by the Sudan because the aircraft were legally delivered by a Member State conditional on their non-use in Darfur.

79. In cases of a non-international armed conflict, customary international humanitarian law includes the principles enshrined in the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts, to which the Sudan is a signatory and which indicates in its article 13 that "the civilian population as such, as well as individual civilians, shall not be the object of attack".

80. The Government of the Sudan has subsequently acknowledged that the aircraft did attack the convoy while conducting surveillance for armed opposition group movements; the Government alleges that the convoy had not coordinated its movement with security officials.[38,39] Nevertheless, that the vehicles were clearly identifiable as civilian with no obvious weapons mounts such as those usually used on the "4 x 4 technicals" used by armed opposition groups means that the attack is almost certainly a violation of the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts. The acknowledgement by the Government of the background to this

[38] Confidential source.

[39] The second witness stated that the standard practice was that convoys had to report their arrival in Thabit to security officials, but not their departure.

incident is contrary to information provided by the Sudanese air force stating that the presence of Su-25 aircraft in Darfur is unrelated to internal security problems in the Sudan and that they were deployed to protect sovereignty and citizens.[40]

81. The Panel has formally requested that the Government make the pilots of the aircraft available for interview by the Panel,[41] but the Government has to date not acceded to that request and has not yet indicated whether it is initiating any formal investigation of the incident. An abridged version of the complete case file on the incident is found in annex VIII to the present report.

VI. Monitoring of offensive military overflights, including aerial bombardments, and aviation assets in Darfur

82. Pursuant to Security Council resolutions 1556 (2004), 1591 (2005) and 1945 (2010), the Panel focused on a range of monitoring and investigation activities in order to identify whether there had been any violations of the arms embargo relating to military aviation assets by the Government of the Sudan or Member States during the period of its mandate. The only party to the conflict in Darfur that routinely operates and controls offensive aviation assets remains the Government.

A. Offensive military air operations

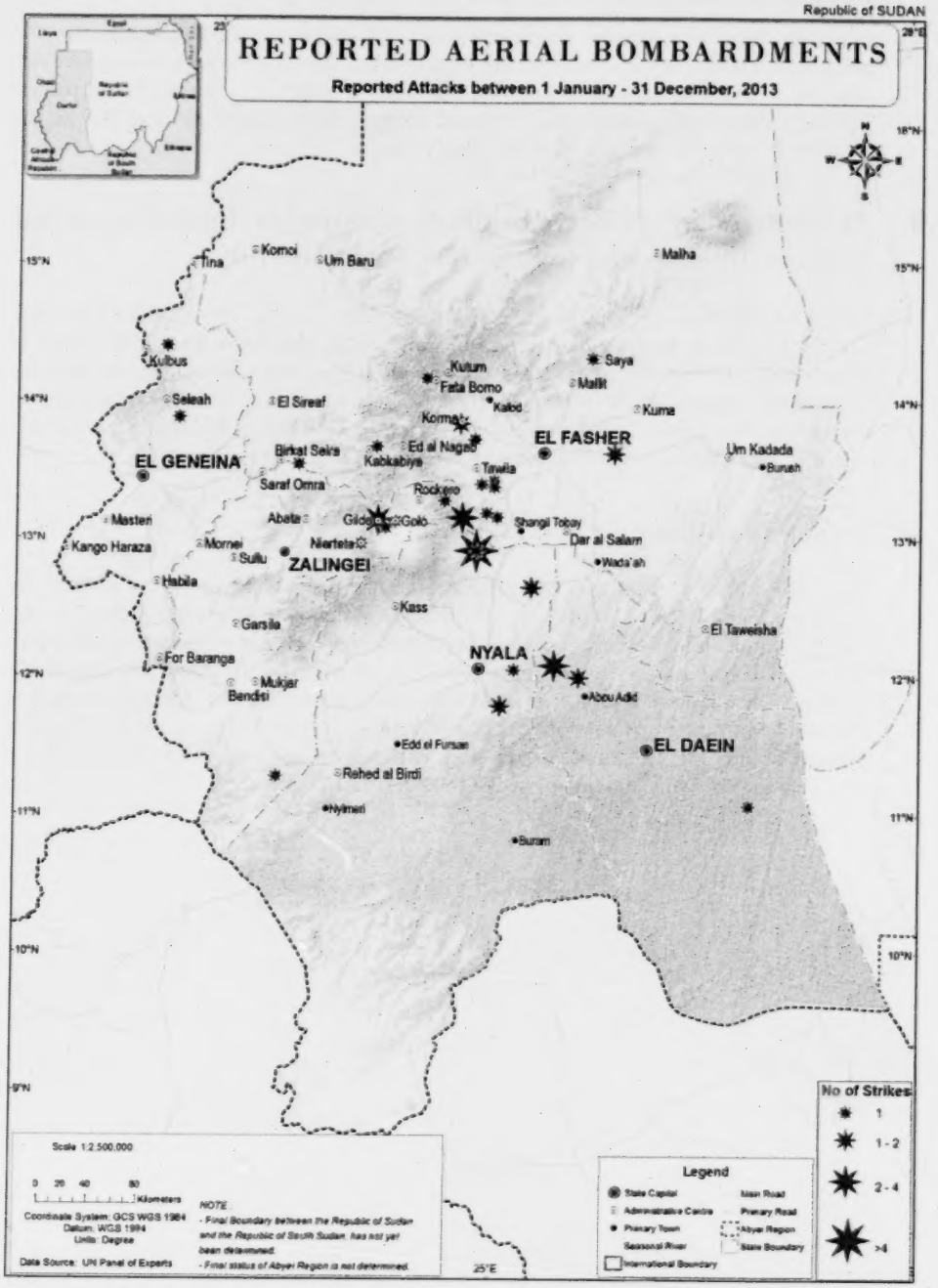
83. The ability of the Panel to gather and verify information on offensive military air operations on the ground was constrained by delays in the reporting of events and the time taken to obtain security access and then travel to the locations. In 2013, the Panel continued to collect reports of alleged offensive military air operations from a wide range of sources; a significant proportion of those operations were in the Jebel Marra area. A summary of the information is provided in annex IX to the present report. Map 2 illustrates reported aerial bombardments wherever the Panel was able to positively link an air strike to a specific location.

[40] Meeting of 12 June 2013 in Khartoum.

[41] Panel letter of 6 December 2013. Oral request to the Deputy Chief of Staff of the Sudanese air force on 10 December 2013.

Map 2

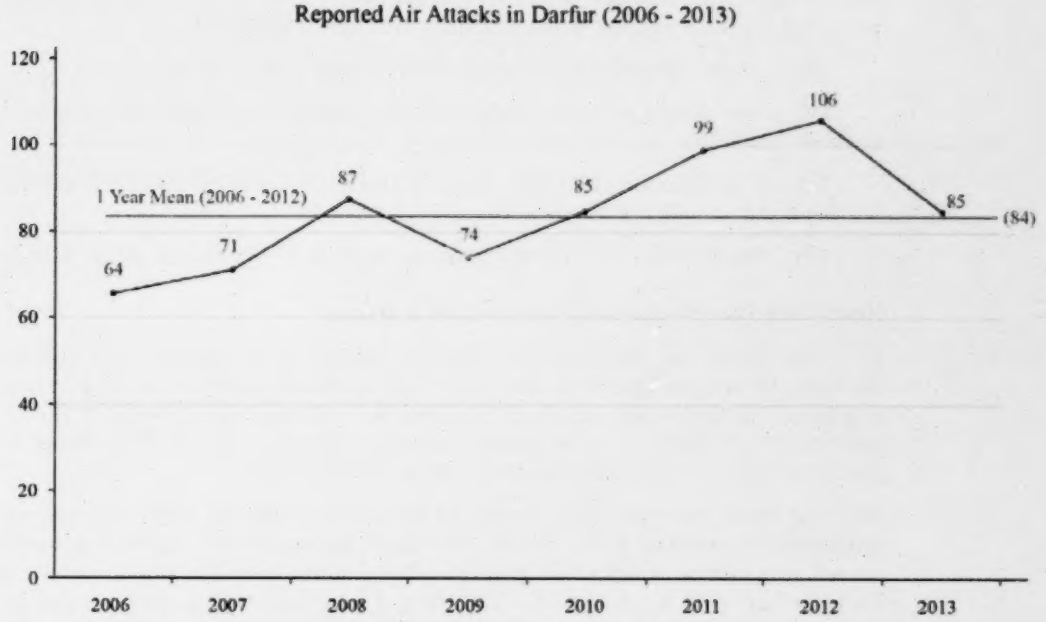
Reported aerial bombardments in Darfur (1 January-31 December 2013)



Source: Panel.

84. The Panel analysed the frequency of reported offensive air operations against previous historical open-source data.[42] The rate of reported offensive air strikes for the entire year of 2013 is virtually at the historical average level for the period 2006-2012 (84 per year), as shown in figure 11.

Figure 11
Reported air attacks in Darfur (1 January 2006-31 December 2013)



Source: Panel.

B. Overview of Sudanese air force assets in Darfur

85. More detailed data on Sudanese air force assets can be found in annex X to the present report. During the reporting period, the Panel observed the following aircraft operated by the air force that were based in Darfur during the mandate:

(a) Five Sukhoi Su-25 attack/close air support aircraft[43] (tactical Nos. 201, 208, 210, 211 and 214);

[42] Including IRIN, Radio Dabanga, Amnesty International and www.sudanbombing.org.
[43] See www.sukhoi.org/eng/planes/military/su25k (accessed 8 January 2014).

(b) Six Mil Mi-24[44] multi-role attack helicopters:[45] five of the Mi-35 variant (tactical Nos. 937, 948, 950, 951 and 955) and one of the Mi-24P variant (tactical No. 956);

(c) One Mil Mi-17 multi-role transport helicopter[46] (tactical No. 546);

(d) One Antonov An-26 light military transport aircraft[47] (tactical No. 7717).

86. During the reporting period, the Panel observed the following Sudanese air force aircraft that were almost certainly based outside Darfur and almost certainly providing logistical support to the national armed forces in Darfur:

(a) Three Antonov An-26 aircraft (tactical Nos. 7706, 7718 and 7719);

(b) One Antonov An-32 light military transport multipurpose aircraft[48] (tactical No. 7720);

(c) Two Antonov An-12BK military transport aircraft[49] (ST-KNR/tactical No. 9966 and unmarked[50] (highly probably ST-AZH));[51]

(d) One Ilyushin Il-76TD multipurpose strategic airlifter (tactical No. 1106).

Newly identified Sudanese air force assets in Darfur

87. The Panel has seen evidence that the Sukhoi Su-25 aircraft with tactical number 214 was in Darfur in 2011, but had not been reported during previous mandates. The Sudan has submitted no exemption requests to the Committee for the deployment to Darfur of that aircraft, meaning that its deployment is therefore almost certainly a violation of the arms embargo by the Sudan.

88. The Panel notes that, while the Su-25 aircraft with tactical number 208 was not mentioned in previous Panel reports, the Panel has previously reported a Su-25 aircraft with tactical number 209. Evidence provided by Belarus in 2012 states that a Su-25 aircraft with tactical number 209 has not been delivered to the Sudanese air force (see S/2013/79, p. 61). The Panel finds it highly probable that the previously reported sightings of the Su-25 aircraft with tactical number 209 were sightings of the Su-25 aircraft with tactical number 208, which were reported in error.

89. The Panel observed an Mi-35 helicopter with tactical number 955 and an Mi-24P helicopter with tactical number 956 for the first time in Darfur during the current mandate. The Government has deployed those helicopters to Darfur without prior authorization by the Committee (see figure 12). This deployment is certainly a clear violation of the arms embargo by the Sudan.

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[44] The original designation is Mi-24, by which name all variants are commonly referred to. Later developments received designations Mi-35 (export version) and Mi-24P (fitted with a fixed twin-barrel gun on the starboard side).

[45] See www.oboronprom.ru/en/catalog/helicopters/mi-2435m—attacktransport-helicopter (accessed 8 January 2014).

[46] See www.oboronprom.ru/en/catalog/helicopters/mi-817-type-and-modifications—medium-multi-role-helicopter (accessed 8 January 2014).

[47] See www.antonov.com/aircraft/antonov-gliders-and-airplanes/an-26 (accessed 8 January 2014).

[48] See www.antonov.com/aircraft/transport-aircraft/an-32 (accessed 8 January 2014).

[49] See www.antonov.com/aircraft/antonov-gliders-and-airplanes/an-12 (accessed 8 January 2014).

[50] The Panel has observed a recent development where the Sudanese air force removes or does not apply identity markings on military transport aircraft.

[51] Aircraft ST-AZH is known as tactical number 9944 (letter to the Panel dated 25 December 2013).

Figure 12
Mi-35 helicopter (tactical No. 955 on left) at Nyala forward operating base in June 2013

Source: Panel.

90. The Panel did not observe an Antonov An-26 aircraft with tactical number 7717 in Darfur in previous mandates (see paras. 103-106).

91. The Panel identified imagery evidence that the Mil Mi-17 helicopter with tactical number 546 was operating in Darfur in 2012 and has physically confirmed its presence in 2013.

C. Military aviation operational levels and deployments in Darfur

Sukhoi Su-25 attack/close air support aircraft

92. During the current mandate, the Panel observed either two or three Su-25 aircraft simultaneously deployed in Darfur. The aircraft were observed alternately at El Fasher forward operating base and at Nyala forward operating base. Besides the five serviceable aircraft, the Panel observed two unserviceable aircraft at El Fasher; that with tactical number 204 was being repaired throughout the mandate, while that with tactical number 212 remained a write-off (see S/2013/79, para. 60).[52]

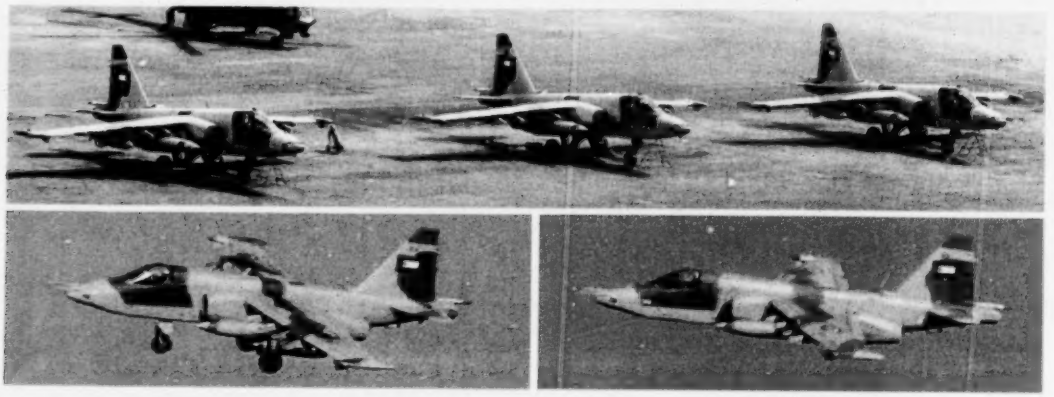
93. Su-25 aircraft with tactical numbers 201, 210 and 211 (see figure 13) were previously reported by the Panel.[53] The redeployment of Su-25 aircraft with tactical numbers 201, 208 (see para. 120) and 211 to Darfur without prior authorization by the Committee is certainly a routine violation of the arms embargo by the Sudan. The Panel defines it as routine because it is a regular process that is determined by scheduled aircraft servicing and maintenance requirements (see para. 118).

94. Earlier in the reporting period, the Panel observed Su-25 aircraft carrying alternately FAB-500 bombs and B-8M1 rocket launcher pods, while at the end of the mandate the Panel observed them being fitted with B-8M1 rocket launcher pods exclusively.

[52] The latter aircraft is currently being "cannibalized".

[53] Su-25 aircraft with tactical numbers 201, 210 and 211 were reported in document S/2011/111, while the Su-25 aircraft with tactical number 210 was also mentioned in document S/2013/79.

Figure 13
Su-25 aircraft (tactical Nos. 201, 208, 210, 211 and 214)



Source: Panel.
Note: The aircraft with tactical numbers 208 and 211 carry FAB-500 bombs (May 2013). The aircraft with tactical number 214 carries B-8M1 rocket pods (November 2013).

95. The Sudanese air force stated that the presence of Su-25 aircraft in Darfur was unrelated to internal security problems in the Sudan and that they had been deployed to protect sovereignty and citizens.[54] It also indicated that the borders with the Central African Republic, Chad and Libya needed protection and that the Su-25 aircraft helped the Sudan in accomplishing that. Nevertheless, the Panel received various reports mentioning the use of attack/close air support aircraft in air strikes on civilian targets.[55] The air strike on 29 November 2013 at Tangarara almost certainly involved the use of Su-25 aircraft in their primary offensive ground attack role (see paras. 69-81).

96. All munitions observed at El Fasher and Nyala forward operating bases during the mandate are of the air-to-surface type and typical for the Su-25 aircraft: FAB-250 bombs, FAB-500 bombs, RBK-500 cluster bombs, B-8M1 rocket launcher pods and S-24 air-to-surface rockets.[56] No air-to-air weapon systems have been identified or observed by the Panel.

97. The Panel therefore concludes that the Sukhoi Su-25 attack/close air support aircraft are highly probably used in Darfur in their primary role as attack/close air support aircraft, with the potential for fatal collateral damage to the local civilian population. The Government of the Sudan, by transferring these aircraft into Darfur, is almost certainly regularly violating the sanctions imposed by the Security Council.

Mil Mi-24 multi-role attack helicopters in Darfur

98. During the current mandate, the Panel observed either two or three Mi-24 multi-role attack helicopters of the Mi-35 or Mi-24P variants simultaneously

[54] Meeting of 12 June 2013 in Khartoum.
[55] Sudanese citizens call any fighter jet "MiG" (pronounced "midge" in English). The Panel has found no evidence of MiG aircraft in Darfur during the current mandate and therefore concludes that it is almost certain that the MiG aircraft observed by witnesses were Su-25 aircraft.
[56] See www.sukhoi.org/eng/planes/military/su25k/arms/ (accessed 8 January 2014).

deployed in Darfur. For the greater part of the mandate, the helicopters were based at the Nyala forward operating base.

99. The Panel has no evidence that Mi-24 attack helicopters were operated from the airfields of El Geneina, Tine and El Daein, or Kutum helipad,[57] during the reporting period. During previous mandates, Mi-24 attack helicopters had been observed at El Geneina and Kutum.

100. The redeployment of attack helicopters with tactical numbers 937, 948, 950 and 951 to Darfur by the Government of the Sudan without prior authorization by the Committee is, however, almost certainly a routine violation of the arms embargo by the Sudan.

101. All the Mi-24 helicopters observed in Darfur were fitted with two B-8V20 rocket launchers, which can carry up to 20 S-8 rockets each.

102. The Sudanese air force stated that the Mi-24 helicopters were based in Darfur to protect Sudanese troops and UNAMID convoys.[58] While the air force also claims that the tactical numbers on the helicopters change regularly,[59] the Panel has seen no evidence to support that claim.

Antonov An-26 aircraft with tactical number 7717

103. The presence of white, unmarked Antonov An-26 aircraft in Darfur has been a constant factor since the Panel was established in 2006. Several Panel reports (S/2006/795, S/2007/584, S/2008/647 and S/2011/111) mention such presence.

104. The Panel identified an unmarked and unregistered Antonov An-26 aircraft in Darfur between 12 May and 11 June 2013, mainly at El Fasher forward operating base but also at Nyala forward operating base. This is the first time that the Panel has identified an Antonov An-26 aircraft that has failed to display any identity markings at all. Unmarked aircraft are, by definition, operating covertly, which makes this particular aircraft of interest to the Panel because it makes it difficult to identify the perpetrator if used as a means of violating sanctions.

105. The Panel took up the issue of this unmarked and unregistered aircraft with the representative of the Sudanese air force on 12 June 2013.[58] The representative denied operating such aircraft[60] and stated that all An-26 aircraft in the Sudan carried a tactical number and that all the An-26 aircraft in service with the air force displayed a thin red, white and black line on the fuselage and a roundel. Within a month of that meeting, on 11 July 2013, an An-26 aircraft with tactical number 7717[61] was sighted with an overall colour scheme identical to that of the unmarked An-26. After comparing imagery of the unmarked An-26 with imagery of that bearing tactical number 7717, the Panel concluded that they were almost certainly the same aircraft. Visible distinguishing features in the detail of the overall body colour scheme of both aircraft are compared in figure 14 and summarized in table 3.

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[57] The Panel observed no (semi-)permanent support equipment at those four locations during the current mandate, which means that they currently lack the capability to support the aircraft.

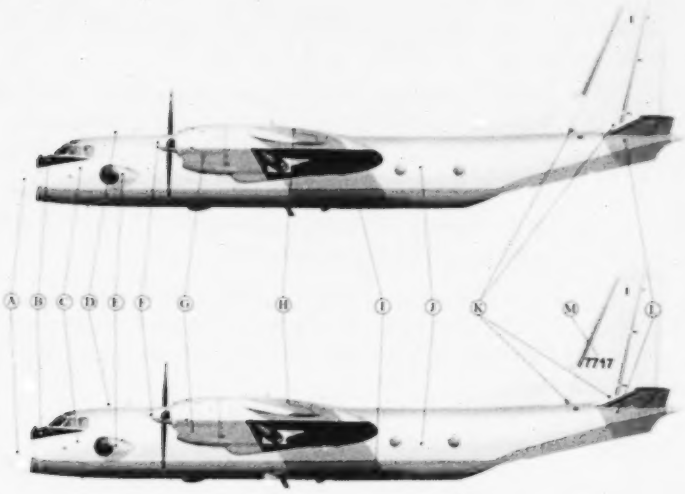
[58] Meeting of 12 June 2013 in Khartoum.

[59] Meeting of 10 December 2013 in Khartoum.

[60] The reading of the Sudanese air force is not new; in 2006 it had already denied possessing white, unmarked fixed-wing aircraft (see S/2006/795, para. 206).

[61] Confidential source.

Figure 14
Comparison of the unmarked An-26 aircraft with that bearing tactical number 7717



Source: Panel.

Table 3
Summary of visible distinguishing features of the unmarked An-26 aircraft and that bearing tactical number 7717

Index	*Distinguishing feature*	*Remarks*
A	White radome	Fuselage is off-white
B	Black anti-glare patch	–
C	No aircraft type indicated	Many Antonov aircraft have the aircraft type marked at this location
D	Lack of HF wire antenna	–
E	Standard observation window on port side	–
F	Spinners' tip: bare metal	–
G	Nacelles: grey lower surfaces	–
H	Wings: grey main surfaces	–
I	Fuselage: grey belly	–
J	Fuselage: off-white upper surface (including vertical tailplane)	–
K	Two dirt spots at bottom of vertical tailplane	Probably caused by oil leakage

Index	*Distinguishing feature*	*Remarks*
L	Lack of manufacturer's serial number under the port horizontal tailplane	–
M	Tactical number in Arial bold font type	–

106. The Sudanese air force representative refused to give more information on the An-26 aircraft with tactical number 7717 and asked why the Panel wished to know more about it.[59] The Panel continues to investigate the origins of the aircraft.

Antonov An-26 aircraft in the improvised bomber role

107. The Sudanese air force representative stated that An-26 aircraft were used in Darfur only for:

(a) Visual surveillance and reconnaissance. He indicated that the borders of the Sudan were very long and also used by illegal immigrants and traffickers. The country needed to monitor its airspace and ground areas in order to protect its sovereignty and the spherical side window on the port side was used for that purpose;

(b) Transportation. He indicated that the aircraft had a 3 ton payload capacity[62] and was used to supply all five states of Darfur and to move military stocks and explosives within Darfur.

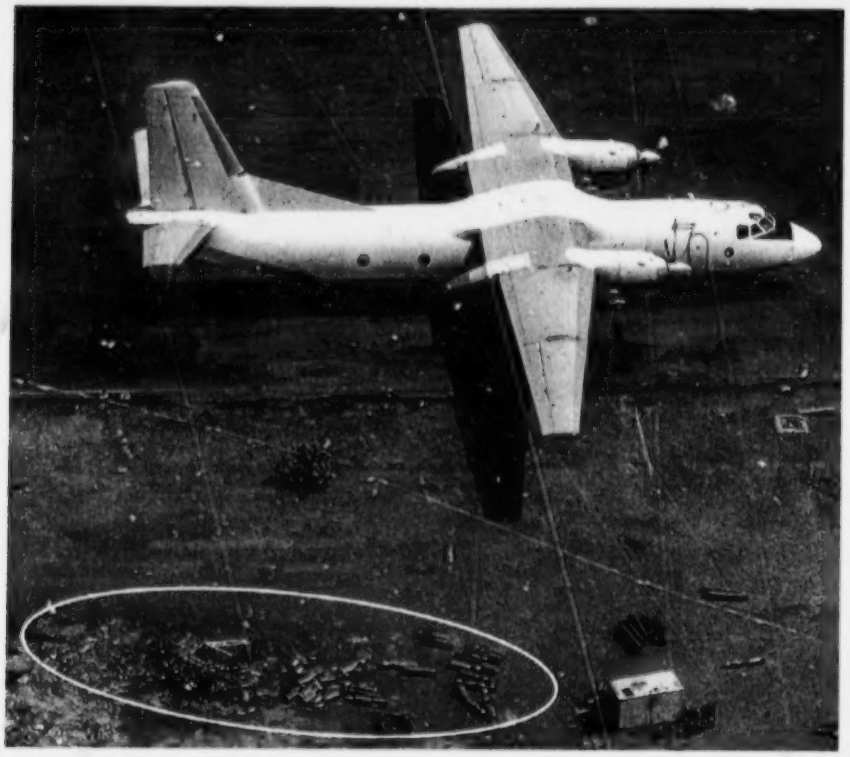
108. The Panel is not convinced that the An-26 aircraft is used purely for the roles described above. First, the air force operates at least two Antonov An-30 aircraft[63] that are equipped with a large glazed nose designed specifically for aerial cartography and surveillance purposes. The An-30 is a better designed aircraft for surveillance and reconnaissance than the An-26. It has very similar operating characteristics and payload capacity to the An-26 as a transport aircraft (see annex XVII to the present report).

109. Second, the Panel observed that an An-26 aircraft with tactical number 7717 had a designated parking space at El Fasher forward operating base next to an ammunition storage area (figure 15), in which only improvised air-delivered munitions are routinely stored. This is exactly the same location as depicted in figure 20 of the Panel's report of 10 September 2007 (S/2007/584) and photograph 15 of the Panel's report of 1 October 2008 (S/2008/647), which also showed the same ammunition storage area.

[62] Actually 5.5 tons, see www.antonov.com/aircraft/antonov-gliders-and-airplanes/an-26 (accessed 8 January 2014).

[63] See www.antonov.com/aircraft/antonov-gliders-and-airplanes/an-30 (accessed 8 January 2014). Known aircraft in service with the Sudanese air force have tactical numbers 7704 and 7708.

Figure 15
Unmarked An-26 aircraft (now tactical No. 7717) at El Fasher (June 2013) (note the 26 Type 1 improvised air-delivered munitions circled in white)



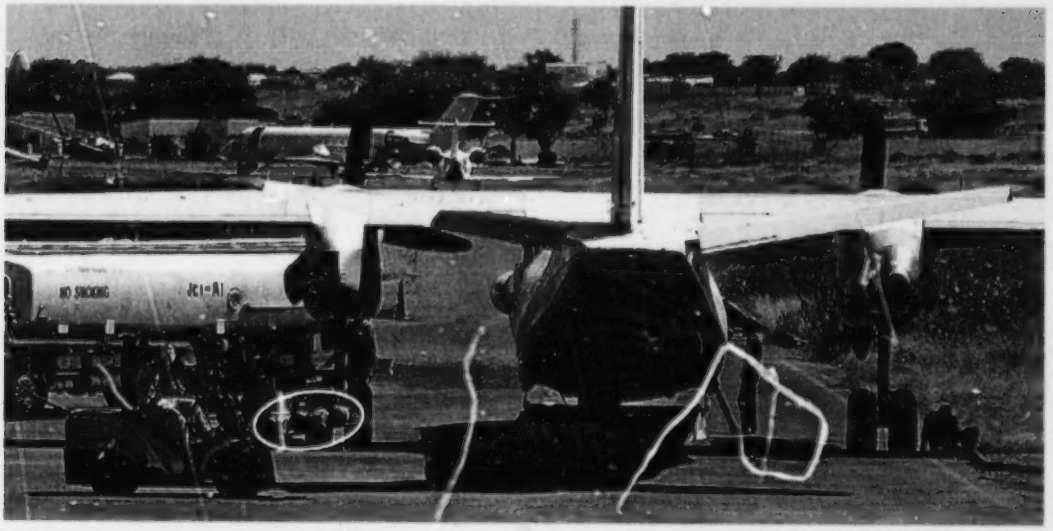
Source: Panel.

110. Third, the Panel obtained a photograph taken at El Fasher forward operating base on 29 September 2013 (see figures 16 and 17), which clearly shows an An-26 aircraft with tactical number 7717 being loaded with Type 1 improvised air-delivered munitions (see para. 44).

111. In its report of 20 September 2010 (S/2011/111, para. 91), the Panel reported the loading of barrel bombs into an Antonov aircraft on two occasions during its mandate.

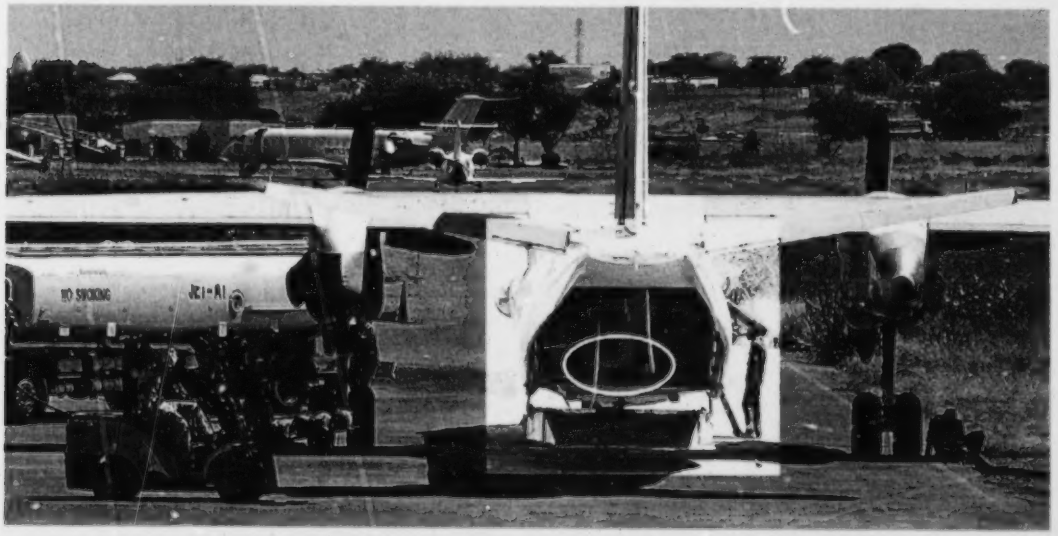
112. The Panel asked the Sudanese air force for an official response to the bombs being loaded onto the An-26 aircraft with tactical number 7717 and was told that "the armed forces have three threat levels; possibly the threat level had changed and so that obliged the air force to move ammunition from El Fasher to a safer location".

Figure 16
An-26 aircraft with tactical number 7717 being loaded with Type 1 improvised air-delivered munitions (circled in white) at El Fasher forward operating base (29 September 2013)



Source: Confidential.

Figure 17
Overexposure of figure 16 (interior of cargo hold with improvised air-delivered munitions circled in white)



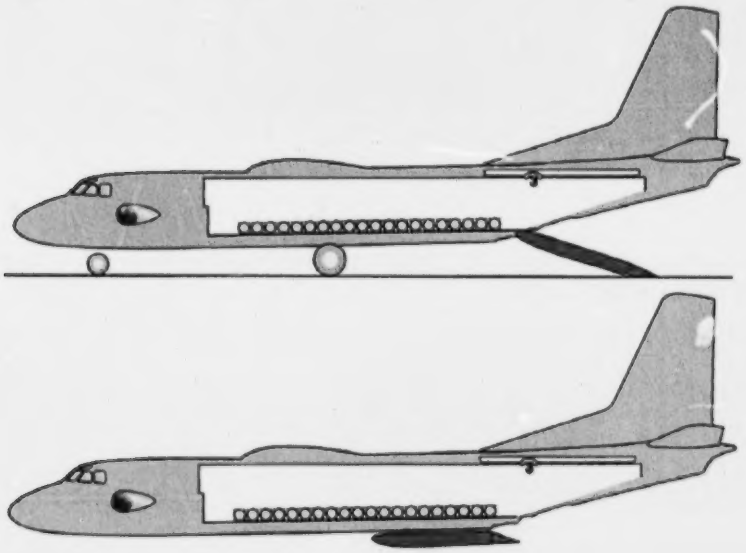
113. The Panel is unconvinced by the official Sudanese air force rationale for the loading of those particular munitions onto the aircraft in question because:

(a) The munitions are loaded in a transverse orientation. For barrel-shaped munitions such as bombs, this is the most dangerous way to transport them: any abrupt stop or sudden acceleration of the aircraft could cause the bombs to roll up and down the fuselage. For dropping munitions, however, this is almost certainly the preferred loading configuration;

(b) The munitions are loaded onto the aircraft without any protective means such as crates, dividers or chocks. This is the most dangerous way of transporting ammunition and is certainly not a preferred loading method for any air operator. It is highly unlikely that they would ever be loaded this way for purely transportation purposes;

(c) An-26 and An-32 aircraft feature an overhead-track hoist/crane. Both types are also equipped with an aft door/ramp that can be slid under the fuselage, in flight, to facilitate the delivery of munitions from the rear cargo hold (see figure 18);

Figure 18
An-26 schematic showing alternate ramp positions



Source: Panel.

(d) The munitions being loaded onto the aircraft are almost certainly Type 1 improvised air-delivered munitions, which can be dropped only by rolling through a large door located in the belly or the aft of the fuselage because they have no suspension lugs. The Darfur-based An-26 aircraft (tactical No. 7717) is therefore highly suited to this task.

114. The Panel therefore concludes that the Antonov An-26 aircraft with tactical number 7717 is almost certainly a cargo aircraft that is regularly used in an improvised bomber role. The transfer to Darfur of such an aircraft, when subsequently used in an improvised bombing role, is therefore almost certainly a violation of the arms embargo by the Sudan. The Panel cannot discount the

probability that Antonov An-26 aircraft with other tactical numbers are also used in such a role in Darfur.

115. The dropping of improvised munitions from a height of between 5,000 and 8,000 feet above the ground[64] from an aircraft that is not properly equipped for the bombing task (no proper release mechanism, no proper release orientation and no proper target finding/locking system) leads to highly inaccurate bombing with a large circular error probability. Civilians and other civil targets are likely to be hit using this highly imprecise bombing method and, consequently, the Antonov An-26 (tactical No. 7717) is highly probably operating in violation of the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts.

Antonov An-26 aircraft in the designed bomber role

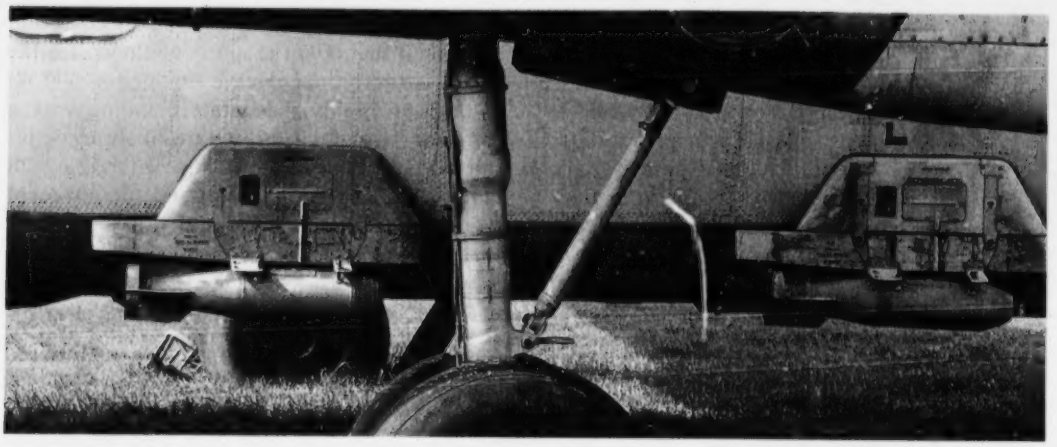
116. It is highly likely that the Sudanese air force has also retained the capability to fully use its Antonov An-26 aircraft in the bomber role when fitted with the BDZ-34 weapon hard points (see figure 19). The An-26 ST-ZZZ aircraft (manufacturer's serial No. 10407) used to be equipped with four BDZ-34 weapon hard points (see S/2006/795, figure 10), which were removed after the aircraft crash-landed at El Fasher on 7 August 2006. The manufacturer has confirmed to the Panel that the BDZ-34 weapon hard points can be retrofitted to any An-26 aircraft because the aircraft is designed to accept them with minimal modifications.[65] When fitted with the BDZ-34 weapon hard points, an Antonov An-26 aircraft is certainly classified as a bomber and not as a transport aircraft.[66]

[64] Between 1,700 and 2,700 m is a safe height to stay out of range of ground fire. The average elevation of Darfur taken into account, the aircraft operates at an altitude of 12,000 to 15,000 feet (4,000-5,000 m) above sea level, which is the maximum altitude at which to operate with an unpressurized cabin (owing to an opened aft door).

[65] Letter to Panel dated 25 December 2013.

[66] The Antonov An-32 aircraft, which is also operated by the Sudanese air force, is of similar design and operational capability to the An-26 aircraft and could therefore also be used in the bomber role by the air force.

Figure 19
BDZ-34 weapon hard points fitted to an An-26 aircraft



Source: Flickr.com.

D. Observation of civil-registered transport aircraft in Darfur used for military purposes

117. During the current mandate, the Panel observed a civil-registered Antonov An-74 (ST-BDT) operating in Darfur and being unloaded by national armed forces personnel. The aircraft was also reported by the Panel in its report of 1 October 2008 (S/2008/647) as previously operating in direct support of the national armed forces. Neither the Ministry of Defence nor the Sudan Civil Aviation Authority has responded to any requests made by the Panel to view the flight manifests for Darfur supply flights made by this particular aircraft.

E. Maintenance of Sudanese air force assets operating in Darfur

118. A senior representative of the Sudanese air force confirmed unambiguously and positively to the Panel in June 2013 that the maintenance of air force assets takes place at the SAFAT Aviation Complex, located at the Wadi Sayyidna air force base, north of Um Durman.[67] The facility has the capability to carry out third-level and fourth-level line maintenance[68] on all helicopters and fighter aircraft in service with the air force and all Antonov cargo aircraft operational in the Sudan. This means that the maintenance of all air force assets in use in Darfur, including the Mi-24 helicopter and the Su-25 and An-26 aircraft, is performed there.

119. That aircraft must return to the facility for routine maintenance means that the deployment of replacement aircraft, or the return to operations in Darfur after maintenance, is almost certainly a clear violation of sanctions. The Panel has been unable to identify the maintenance requirements for each aircraft type and from that

[67] See www.safatavia.com/english/ (accessed 2 January 2014).

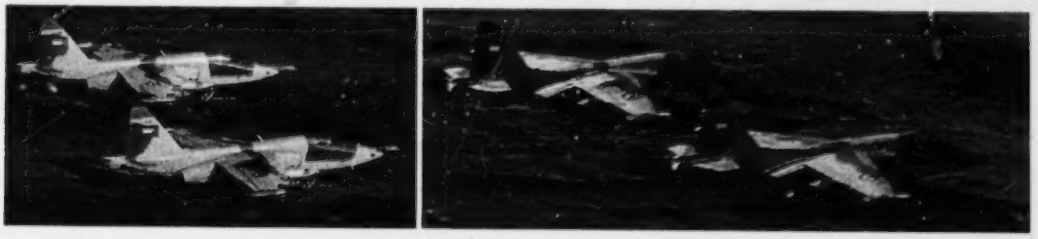
[68] Checks on an aircraft's airframe and checks on engine(s), landing gear and avionics, respectively.

identify the regular and routine frequency at which the particular sanctions measures have been violated by the Government. The continuous redeployment of aircraft and helicopters to Darfur by the Government without prior authorization by the Committee has, however, become a routine violation of the arms embargo, as concluded by the Panel.

120. The Panel witnessed an almost certain routine violation in El Fasher in the first week of December 2013, during the rotation of a Sukhoi Su-25 aircraft (see figure 20). The aircraft (tactical No. 201) arrived, unarmed, at El Fasher on 2 December 2013 and flew circuits over El Fasher that evening. The aircraft had not been sighted before in Darfur during the current mandate period. The aircraft with tactical number 208 was the longest serving Su-25 aircraft seen in Darfur during the mandate period and almost certainly had to undergo scheduled maintenance.[69] On 8 December 2013, the Panel observed it leaving El Fasher at 3.40 p.m., heading east towards Khartoum; by 9 January 2014, it had not returned.

Figure 20

Aircraft with tactical numbers 208 and 214 at 9.45 a.m. on 2 December 2013 (left) and aircraft with tactical numbers 214 and 201 at 5.28 p.m. on 8 December 2013 (right)



Source: Panel.

[69] The aircraft with tactical number 208 had been observed throughout Darfur between 12 May and 8 December 2013.

VII. Violations of international humanitarian law and human rights

121. From a humanitarian and human rights perspective, the situation in Darfur has worsened over the past year.[70] In 2013, clashes between the Government and armed opposition groups (see annex II to the present report) and among and within tribes resulted in more than 450,000 new internally displaced persons,[71,72] who joined the 1.4 million internally displaced persons already in some 100 camps throughout Darfur.[73] Nevertheless, there remain many thousands of people who are unable to gain access to any humanitarian assistance,[74] such as those in the Jebel Marra area.[75]

122. The attacks on UNAMID show, in most cases, the boldness and impunity with which many armed groups are operating in the region. Although some Janjaweed, militias and tribal armed groups continue to operate as proxies of the Government,[76] in many instances they also operate in isolation. On more than one occasion, the Government has been unable to control sponsored armed groups, as clearly seen in the clashes between tribal armed groups and government forces in the cities of El Daein and Nyala during August and September 2013.

123. There is a similar situation with intertribal clashes. Tribal armed groups, motivated by tribal loyalties, are contributing to the increase in intertribal conflict. Several attempts by the Government and UNAMID to find lasting solutions to intertribal fighting have to date proved fruitless, although some temporary solutions and ceasefires have been achieved through reconciliation conferences. The overall lack of access to justice and security fuels a culture of impunity from prosecution, which is widespread in Darfur.

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[70] According to the Office for the Coordination of Humanitarian Affairs, as at November 2013, there was an estimated total of 6.1 million people in need of assistance in the Sudan, representing a 37 per cent increase compared with 2012. See http://reliefweb.int/sites/reliefweb.int/files/resources/Sudan%202014%20Strategic%20Response%20Plan%20Final%20version_0.pdf, p. 5 (accessed on 9 December 2013).

[71] According to the Office for the Coordination of Humanitarian Affairs, "this year 450,000 people fled their homes due to conflict in Darfur. Some moved to existing IDP camps while others moved to host communities or gatherings in other locations. Slightly more than 2 million people remain displaced due to conflict and insecurity". See www.reliefweb.int/sites/reliefweb.int/files/resources/CHF_Interim_Report_2013%281%29.pdf, p. 6 (accessed on 9 December 2013).

[72] Although a range of criminal groups may be responsible for some of the attacks against the civilian population, ultimately the Government is responsible for the provision of security, peace and the rule of law throughout Darfur.

[73] See www.unocha.org/top-stories/all-stories/sudan-old-crisis-new-challenges-darfur (accessed on 22 May 2013).

[74] There are very few international aid organizations currently working in Darfur. In 2009, the Government expelled 10 such organizations under the pretext of "activities that act in contradiction to all regulation and laws". The decision was taken immediately after the President of the Sudan was indicted by the International Criminal Court.

[75] According to the Office for the Coordination of Humanitarian Affairs, "the UN estimates that there are about 100,000 people in the Jebel Marra area either displaced or severely affected by conflict. Virtually no access for humanitarian organizations." See www.reliefweb.int/sites/reliefweb.int/files/resources/Sudan_Snapshot_30_Sep_2013.pdf (accessed on 17 October 2013).

[76] Based on credible information received from a wide range of confidential sources.

124. The Panel offered the Government the opportunity to comment on its investigations into the above-mentioned three main areas.[77] The Panel shared the information that it obtained with the Government and requested cooperation in clarifying the evidence. Unfortunately, the Government has not yet responded to the Panel's requests.

A. Attacks on African Union-United Nations Hybrid Operation in Darfur personnel and humanitarian workers

125. In 2013, attacks on humanitarian workers continued. For example, on 7 July 2013, two workers for World Vision International were killed and one injured in Nyala. On 26 August 2013, eight national staff of the International Committee of the Red Cross were abducted. Although most of the attacks appear to be due to common criminality, there has been very little, or even no, action on the part of the Government to seriously investigate the incidents.

126. During the reporting period, UNAMID personnel were on at least 52 occasions victims of armed violence, including carjackings, robberies and ambushes.[78] Some incidents directly resulted in the deaths of UNAMID personnel (see para. 29).

Attack on the African Union-United Nations Hybrid Operation in Darfur: Muhajeria (18/19 April 2013)

127. On 6 April 2013, SLA/MM forces occupied Muhajeria after a short gun battle with government forces. At about 11 a.m., a man who identified himself as the commander of the SLA/MM faction in Muhajeria approached the UNAMID team site. He said that SLA/MM was in control of Labado and Muhajeria and would expect to be liaising with the team site in the future.[79]

128. On 7 April 2013, owing to the unpredictable security situation, the team site commander wrote to the sector headquarters to request reinforcements, which were delayed because the Government denied UNAMID troops security clearance to deploy to Muhajeria. On 11 April 2013, the Sudanese Military Intelligence informed UNAMID that the armed forces were conducting military operations in the Muhajeria region and that UNAMID should exercise patience. All subsequent requests from UNAMID to move troops to Muhajeria, of which there were several, were denied. At the time of the attack, the Muhajeria team site was only at 36 per cent of its planned force levels owing to disruption of the troop rotation between NIBATT34 and NIBATT38 by the Government and the delay in reinforcement.

129. On 16 April 2013, pro-Government tribal armed groups, supported by the national armed forces, attacked Labado and Muhajeria. On 17 April 2013, both Labado and Muhajeria were back under government control. National armed forces officers visited the team site on 17 and 18 April 2013 to recover a Sudanese soldier who had sought refuge there during the SLA/MM attack.

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[77] Letters from the Panel dated 20 November 2013.

[78] See annex XI to the present report for attacks on UNAMID.

[79] Confidential sources.

130. At approximately 8.30 p.m. on 18 April 2013, between three and five[80] armed men in army uniforms forced entry into the UNAMID team site by firing at the gate lock. Once inside, they fired at United Nations civilian police personnel, who escaped unhurt. The bullets hit some of the installations, however. The attackers loudly asked why UNAMID had not stopped the killing of government soldiers during the SLA/MM attack on Muhajeria. Although this accusation had no merit, because it is not the role of UNAMID to protect the national armed forces, it does suggest a perceived motive of "retaliation" on the part of local government forces for this particular short attack of 10 minutes. The assailants escaped unharmed.

131. At approximately 1.10 a.m. on 19 April 2013, a more determined attack lasted two hours. A group of armed persons attacked the team site with assault rifles and vehicle-mounted machine guns. While NIBATT34 repelled the attack, one soldier was killed and two more injured. The attackers suffered one confirmed fatality. At about 8 a.m., a group of vehicles with mounted machine guns surrounded the team site; the occupants were shooting unaimed shots into the air. The assailants, accompanied by some allegedly government soldiers, entered the UNAMID team site and demanded to talk to the commander (see figure 21). Some witnesses stated that the leader of the group[81] was extremely aggressive towards the commander and asked him whether he was the commander who had killed his men. He demanded compensation of 250,000 Sudanese pounds ($56,800)[82] or he would launch a new attack and destroy the team site. UNAMID reinforcements arrived during the discussions and the situation was defused. The aggressors left the team site.

Figure 21
Uniformed government soldiers who visited the UNAMID team site to claim compensation after they had collected the dead body of the attacker from the scene

Source: Confidential.

132. Shortly after the aggressors left, the national armed forces officers who had previously visited the team site on 17 and 18 April 2013 arrived and informed the team site commander that the Wali of Eastern Darfur, Abdul Hamid Musa Kasha, would shortly visit the team site.[79] He arrived at around noon and assured UNAMID that there was no need to pay the blood money demanded and that the incident would not be repeated.

[80] Recollection varies among witnesses.

[81] The Panel has identified this individual who is highly probably one of the perpetrators of the attack.

[82] Official exchange rate as at 23 October 2013 (www.xe.com).

133. The Panel obtained evidence showing that it is almost certain that the alleged group responsible for the attack is called Savana or Safana.[83] It is also almost certain that this group is led by Mohamad Adam (also known as Savana and Rizkalla). The group has previously received arms and training from the Government and participated directly in the recovery of Labado and Muhajeria. There is further evidence to suggest that the Government has assigned the group responsibility for controlling 11 areas in Southern and Eastern Darfur, including Donkey Dresa, Um Kasola, Ngunya, Graida, Labado, Shearia, Muhajeria and Assalaya.[79] The Panel is almost certain that this attack was carried out by Savana members, with the knowledge, acquiescence and/or support of the national armed forces. The involvement of the Government in the attack is highly probable because:

(a) The Government was in tactical control of the local Muhajeria area at the moment of the attacks;

(b) Government soldiers visited the UNAMID team site just hours before and after the attacks;

(c) The Government was aware that the UNAMID team site was under strength because the Government had delayed the planned troop rotation before, and reinforcements during, the attacks;

(d) It is highly probable that the government soldier who sought refuge within the UNAMID team site provided intelligence as to the operational environment there;

(e) The strength and duration of the attacks could not have gone unnoticed by government security forces in the immediate area of the UNAMID team site;

(f) The issue of blood money was raised by a national armed forces officer;

(g) The attacks were implicitly accepted by the local government representative (Wali), who gave instructions that no blood money was actually required;

(h) Neither the Special Prosecutor for crimes committed in Darfur, nor any other appropriate government investigative agency, has yet initiated any formal investigation;

(i) The Government has to date failed to share any information on this case, the formal and informal requests made to it notwithstanding.

Attack on the African Union-United Nations Hybrid Operation in Darfur: Khor Abeche (13 July 2013)

134. The deadly attack on the UNAMID patrol on 13 July 2013 had a particularly important precedent. On 28 June 2013, at about 12.05 p.m., a company-strength TANZBATT7 patrol was attacked. The patrol was travelling in 10 vehicles, including two armoured personnel carriers and two gun trucks. It was disarmed and dispossessed of four UNAMID vehicles and diverse armaments[84] at an ambush

[83] The writing of the name depends on the pronunciation of the speaker. Savana will be used for the remainder of the present report.

[84] The assailants also stole two medium machine guns, one rocket-propelled grenade launcher and three submachine guns, in addition to eight hundred 12.7 mm rounds, ninety 7.62 mm rounds and eleven rocket-propelled grenade rounds.

mounted by around 6 to 10 individuals in civilian clothing.[85] The assailants stopped the convoy claiming to be Sudanese soldiers, but the Panel is almost certain that they were in fact members of a Janjaweed group or tribal armed group.[86] The patrol offered no resistance to its attackers.

135. The territory around the UNAMID team site at Khor Abeche is under the influence of SLA/MM, tribal armed groups, militias, the Janjaweed and the Government, with no one group apparently in overall control. The tribal armed groups, the Janjaweed and the militias operate within a ground zone between the areas controlled by the Government and SLA/MM.[79]

136. It is very probable that this first attack served as a rehearsal and provided the perpetrators with the confidence and tactical experience to launch the second, more deadly attack on TANZBATT7.

137. On 13 July 2013, a platoon-sized TANZBATT7 patrol was attacked about 22 km from the UNAMID team site at Khor Abeche. The patrol was en route from the Debenira camp for internally displaced persons in the town of Mershing. The attack resulted in the deaths of 7 TANZBATT7 peacekeepers and a Sierra Leonean police adviser and left 16 peacekeepers wounded. The perpetrators captured a vehicle, weapons and ammunition.[87] At least two peacekeepers were executed in cold blood.

138. The attackers were dressed in various types of uniform and covered their heads with turbans. They were travelling in four camouflaged Toyota Land Cruiser "technicals" and used rocket-propelled grenade launchers and medium machine guns to conduct the attack. Although the Panel has strong information on possible or alleged names of the perpetrators, it has still to obtain independent confirmatory evidence. It is, however, highly probable that the assailants were members of a Janjaweed group.

139. The investigations into the above-mentioned attacks against UNAMID have led the Panel to conclude that:

(a) Janjaweed groups almost certainly played a leading role in the most prominent attacks against UNAMID (in Khor Abeche on 13 July 2013 and in Muhajeria on 18/19 April 2013); the attackers fit the profile of some well-known Janjaweed elements.[79] These groups have also been behind violent crimes against internally displaced persons, tribes and even, in some instances, the Government itself;[88]

(b) In some instances, the Janjaweed groups may have been acting on their own, without the permission and knowledge of the Government. Nevertheless, the Government should also bear some responsibility for the attacks because it is highly probable that it continues to arm, support, use or tolerate many of the Janjaweed

[85] The UNAMID convoy was returning from a regularly scheduled patrol to Banjadeed and Hi-Awady. The ambush took place about 10 km from the Khor Abeche team site. No shots were fired by either the United Nations patrol or the armed group. Some witnesses reported that some of the assailants were partially dressed in military fatigues. The sources are confidential.

[86] Confidential sources suggest the assailants may be of the Maharia tribe because of their accent.

[87] A total of twenty-four submachine guns, two 12.7 mm heavy machine guns and two 7.62 mm medium machine guns were lost.

[88] For example, during the clashes that took place in El Daein and Nyala in August and September 2013.

factions.[89] It is the responsibility of the Government to investigate and prosecute each of the crimes in which these armed groups are alleged to be involved. The Panel is unaware of any tangible result, other than some public statements, about the fulfilment of the Government's obligations in this regard;

(c) It is almost certain that some attacks on UNAMID, for example that at the Muhajeria team site on 18/19 April 2013, could not have taken place without the knowledge, participation or acquiescence of the Government. All the attacks investigated by the Panel against UNAMID troops were conducted in areas under the direct control of the Government or its proxy militias, the Janjaweed or other armed groups;

(d) All the attacks on UNAMID were certainly intentional. There was no possibility of the perpetrators having failed to recognize UNAMID forces. UNAMID vehicles and premises are clearly marked, and all attacks took place in territory where the UNAMID presence is well known;

(e) With regard to the motivation for the attacks, it is highly probable that robbery was the driving force for most of them.[90] It is also possible that revenge with the intention of inflicting as much damage as possible could have been another aim of the attackers;[91]

(f) There is no evidence to date of any involvement of armed opposition groups in the attacks against UNAMID during the reporting period;

(g) United Nations peacekeepers in Darfur enjoy the same legal protection as civilians under international humanitarian law and therefore any attack against them is a serious violation of international humanitarian law, which may constitute a war crime.[92]

B. Attack on JEM/Bashar (12 May 2013)

140. On 12 May 2013, the leader of the minority breakaway faction of JEM (JEM/Bashar), Mohamed Bashar, was travelling from Chad to the Sudan and rested in the Bamina valley, some 4 km inside Chad.[93,94] He received a telephone call from a Sudanese intelligence agency informing him that someone within his entourage was providing information to JEM and that an attack was imminent. The JEM informant, a Chadian, had provided logistical support (vehicles) to JEM when JEM was still a single entity. Before Bashar could confront the informant, his group

[89] Although there is evidence to indicate that the amount of support given by Government to the Janjaweed and tribal armed groups has diminished, it clear to the Panel that such support has not entirely stopped. This is based on analysis of a wide range of evidence.

[90] There is evidence that the Janjaweed, militias and tribal armed groups are increasingly resorting to the commission of crimes in order to continue their activities. This is due to the current economic crisis in the Sudan that has led the Government to cut off or substantially diminish its support to its sponsored armed groups.

[91] As in the case of the attack against the Muhajeria team site.

[92] For example rule 33, on personnel and objects involved in a peacekeeping mission. See www.icrc.org/customary-ihl/eng/docs/home (accessed on 12 November 2013).

[93] Witnesses also stated that Chadian intelligence agencies had suggested that Bashar should wait for his reinforcements before crossing the border.

[94] The JEM statements that the attack happened in Darfur notwithstanding, the Panel is almost certain that the attack took place within Chadian territory.

was attacked.[95] Witnesses stated that they were ambushed by overwhelming firepower and so were unable to defend themselves effectively.[96]

141. All witnesses agreed that Bashar and Arkou Sulieman Dahia (the deputy leader of JEM/Bashar) were gravely wounded during the initial attack, in which four of Bashar's personal security team were killed outright. The remaining six persons, including Bashar and Dahia, were then executed.[97]

142. Witnesses also stated that JEM captured between 28 and 32 members of JEM/Bashar. The captives were told that they were all considered to be traitors and that they would be tried by the JEM Directorate.[97] According to a witness, the attacking JEM forces are now in the areas of South Sudan and Southern Kordofan, where they may be keeping the hostages.[97] Nevertheless, it is unknown whether the captives are still alive.

143. Witnesses who escaped indicated that they recognized some of their attackers, given that they used to be comrades, and provided the Panel with some names. The Panel has confirmed, from various sources, the names of three of the alleged perpetrators: Mohamad Yusuf Ibrahim (also known as Sultan), Mahdi Ismail (also known as Djabal Moune/Jebel Moon) and Fidiel Mohamad Rohema, who was the ground commander and was subsequently killed in action in November 2013.[97]

144. JEM has publicly accepted the commission of the attack and the Panel is satisfied that this acknowledgement of responsibility is accurate.[98] During meetings with the Panel, the representatives of JEM were clear that the incident should be regarded as an internal JEM struggle in which the group applied its own "honour code" to an act of treason, rather than as an impediment to the peace process.[99]

145. The attack by JEM constitutes serious violations of the principles of international humanitarian law, including:

(a) Respect for persons hors de combat, and those not taking part in hostilities, who shall be protected and treated humanely;

(b) It is forbidden to kill or injure an enemy who surrenders, or who is hors de combat;

(c) The wounded and the sick shall be cared for and protected by the party to the conflict which has them in its power;

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[95] The survivors recounted that, because the group was spread out over a large area, they were able to escape the attack.

[96] According to some testimonies, the attackers were travelling in more than 34 vehicles, with an average of four or five persons in each vehicle. Witnesses stated that the Bashar group comprised some 60 persons. The sources are confidential.

[97] Confidential sources.

[98] The JEM political secretary, Suleiman Sandal, stated that "Bashar and his fighters returned from Chad equipped with vehicles and weapons provided by the Chadian President to attack them". He added that JEM combatants had repulsed an attack carried out by the splinter group inside Sudanese territory, insisting that Bashar and his deputy were killed during the clashes. Regarding the other members of the Bashar group held by JEM, he pointed out "they will be tried before JEM courts. They are not prisoners of war as it is said; they are members of our movement and will be tried for treason and disloyalty". See www.sudantribune.com/spip.php?article46575 (accessed on 22 May 2013). The information was also orally passed to the Panel at a meeting with JEM.

[99] Panel meetings with JEM.

(d) Captured combatants and civilians must be protected against acts of violence and reprisals;

(e) The taking of hostages is forbidden.[100]

C. Intertribal violence and land/resources disputes

146. Intertribal violence is not new in Darfur. In 2013, however, there was a significant increase in the number of violent clashes between armed tribes (see annex XII to the present report) and in the number of resultant victims. Many of the new 450,000 internally displaced persons in 2013 were a result of that tribal violence.[101] The attempts by the Government to solve tribal conflicts through traditional mechanisms have had little or no effect in pacifying the region. There have been several peace deals between the various tribes, for example between the Beni Hussein and the Abbala/Rezeigat, between the Misseriya and the Salamat and between the Abbala and the Beni Hussein. None of those peace agreements, however, represent long-term solutions to the tribal conflict.

147. The Panel investigated armed clashes that began on 5 January 2013 between the Abbala/Rezeigat and the Beni Hussein tribes who, according to customary law, control and benefit from the natural resources in the Jebel Amer region. Since 2012, this has included the exploitation of gold resources in viable commercial quantities. Eyewitnesses stated that Abbala members of the Central Reserve Police and the Border Guard, all heavily armed and indigenous across all five states of Darfur, participated in these particular attacks. The evidence also included the identity and rank of the Central Reserve Police leaders allegedly involved. The Panel is not yet in a position to independently verify the accuracy of the accounts or the identity of the alleged perpetrators, however.

148. The Panel also investigated the fighting between the Ma'alia and the Rezeigat tribes in the El Daein area in July, August and September 2013, which resulted in the expulsion of the Ma'alia from that area.[102] It is important to note that during those clashes the Government was unable, or unwilling, to stop the fighting.[103]

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[100] These principles are embedded in several international instruments, for example the Geneva Conventions of 12 August 1949 and the Additional Protocols of 1977. These are customary international law. See for example, rule 47, which states that attacking persons who are recognized as hors de combat is prohibited, and rule 96, which states that the taking of hostages is prohibited. See www.icrc.org/customary-ihl/eng/docs/home (accessed on 12 November 2013).

[101] "There has been 'an upsurge of violence', partly rebel-government clashes but mainly inter-ethnic fighting 'which really has been the major source of violence, fatalities and displacement of civilian population'". See Ian Timberlake, "New Darfur mission chief says peace cannot be imposed", AFP, 21 June 2013. Available from www.foxnews.com/world/2013/06/21/new-darfur-mission-chief-says-peace-cannot-be-imposed.

[102] On 18 August 2013, UNAMID airlifted more than 300 Ma'alias from El Daein, Eastern Darfur, to Abu Karinka, located approximately 50 km north-east of El Daein. They had sought refuge at El Daein airport because they were afraid of being attacked by the Rezeigat. See www.unamid.unmissions.org/Default.aspx?ctl=Details&tabid=11026&mid=14213&ItemID=22597 (accessed on 12 August 2013).

[103] The Wali of Eastern Darfur, Abdul Hamid Musa Kasha, stated that the "State is not in control of the situation nor is it able to disperse the fighting". See www.radiodabanga.org/ar/node/54662 (accessed on 12 August 2013).

149. There is some evidence to indicate that, in addition to intertribal fighting, there were also elements of the Border Guard and the Central Reserve Police fighting in El Daein in July and August 2013.[104] It is difficult to determine, however, whether those groups were acting as government proxies or whether they were motivated purely because of their tribal links to the Rezeigat or the Ma'alia.

150. The dynamics of and motivation for the intertribal conflicts are clear. Traditional factors continue to fuel conflict, including *asabiyyah*, the sense of belonging to the tribe, which promotes the spirit of vengeance; the dysfunction of the local administration; the desire to appropriate scarce natural resources (water, gold, etc.); and the struggle for political leadership on land shared among various tribes. This is due to bad management of natural resources, disputed ownership of resources and a very weak rule of law system that cannot effectively resolve the land and resource utilization issue.

151. The Panel notes that behind the immediate issue of the physical control of land and natural resources lies the larger problem of who legally owns the land and/or the resources. The legal entitlement of the tribes to the land appears to be based only on custom and practice. The resultant legal uncertainty means that the tribes cannot enforce property rights before the courts. Rather than encouraging a position of legal certainty towards land titles or land utilization acceptable to all stakeholders, the Government is effectively contributing to prolonging the tribal conflict by encouraging the continued use of increasingly ineffective traditional mechanisms. In the Panel's opinion, a balanced resolution of the issue, which includes a formal legal position in terms of land titles, combined with parallel, more effective use of revised traditional mechanisms, would recognize the reality on the ground and make a major contribution to resolving conflicts around this particular issue. It would also constitute a major step towards a more effective rule of law system and could contribute significantly to an overall reduction of violence in the region.[105]

Ali Muhammad Ali Abd-Al-Rahman (Ali Kushayb or Kosheib)

152. Ali Kushayb[106] was a former militia leader who is now a high-ranking official in the Central Reserve Police. Although the Sudanese authorities detained him in 2007 on unrelated charges and again in 2008, the Government released him for lack of evidence.

153. He reportedly gave an incendiary speech at a market in Southern Darfur late in January 2013, during which he reportedly stated that he was not just a Central Reserve Police commander but also a Janjaweed commander able to defend its Ta'aisha land and called upon Ta'aisha fighters to protect their land. Other witnesses stated that he was observed taking part in attacks in April 2013 on villages around Abu Jeradil, Central Darfur.[107] The Panel's investigations continue.

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[104] Confidential sources.

[105] The Panel is aware that the causes of the conflict in the Sudan are multidimensional and that the strengthening of the rule of law is just one of many necessary steps to its solution.

[106] See the individual's warrant of arrest at www.icc-cpi.int (ICC-02/05-01/07-3).

[107] According to Human Rights Watch, witnesses placed Kushayb at the scene of an attack on the town of Abu Jeradil, 30 km south of Um Dukhun, on 8 April 2013. That is an area in which members of the Misseriya, Ta'isha and Salamat had heavy clashes during the first part of 2013. See www.hrw.org news/2013/06/03/sudan-icc-suspect-scene-fresh-crimes (accessed on 15 June 2013).

Alleged torture of armed opposition group combatants

154. In August 2013, JEM alleged that three of its members (Ibrahim Abbaker Hashim Idriss, Abdel Aziz Nour Usher and Ustaz Mohamed Mansour Kitir Abdelrahim), currently detained in Kober Prison in Khartoum, were being subjected to torture and other cruel and inhumane treatment.[108]

155. The Panel formally requested access to the prisoners to verify the accuracy of the allegations.[109] The request was not granted. The Government has been afforded several opportunities to clarify the issue, but has yet to do so. Given that the Panel cannot yet verify the veracity of the allegations made by the group owing to the Government's denial of access, the Panel considers it highly probable that the allegations are true.

Child soldiers

156. During the period under review, the Panel found no evidence of any widespread use of child soldiers in the Darfur conflict. The UNAMID Child Protection Section has been working directly and extremely effectively with the Government and armed opposition groups to eliminate the use of child soldiers.

157. Indeed, many of the belligerents, including JEM, SLA/AW and SLA/MM,[110] have established action plans indicating their commitment to ending the recruitment and use of child soldiers and/or have issued command orders to prohibit such recruitment and use. Some armed opposition groups have also taken measures to prevent further recruitment without hindering access to monitoring teams and have cooperated with the Sudan Disarmament, Demobilization and Reintegration Commission. The national armed forces are also working on the implementation of an action plan to end the recruitment and use of child soldiers; the Armed Forces Act (2007) and the Children's Act (2010) criminalize the recruitment and use of child soldiers.

158. Nevertheless, there remain some very isolated cases where minors have participated in armed clashes. For example, on 30 September 2013, SLM/MM, on behalf of SRF, reported that it had handed over to the International Committee of the Red Cross a 15-year-old boy who had been captured during the battle of Sarafaya, 120 km west of El Fasher, in June 2013.[111]

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[108] See, for example, www.radiodabanga.org/node/55402 (accessed on 15 September 2013).

[109] Letter from the Panel of 20 November 2013.

[110] On 18 December 2013, SLA/MM issued a command order to prohibit the recruitment and use of child soldiers in its ranks. See http://unamid.unmissions.org/Default.aspx?tabid=11027&ctl=Details&mid=14214&ItemID=23031&language=en-US (accessed in December 2013).

[111] "15-year-old PoW handed to Red Cross in Darfur", Radio Dabanga, 1 October 2013. Available from www.radiodabanga.org/node/56743 (accessed in November 2013).

159. The Panel has been unable to discount the possible participation of minors in the tribal clashes[112] and incidents of civil unrest,[113] an issue that remains to be followed closely.[114]

Sexual and gender-based violence

160. The sexual and gender-based violence consultant was informed that many incidents of violence occurred when women left the internally displaced persons camps/areas to collect firewood or to engage in trade or farming activities, although some incidents also occurred within the camps. Women described the incidents as routine beatings and robberies, but also attacks with sexual violence, including rape.[115] Some occurred as a result of tensions when armed individuals use lands cultivated by internally displaced persons for animal grazing. Women also pointed to reports of increased incidents of sexual violence involving young armed perpetrators.

161. The Panel's findings indicate that sexual and gender-based violence incidents are neither organized nor systematic and appear to be opportunistic attacks by groups of armed individuals; many perpetrators remain unknown or are simply referred to as members of the Janjaweed or the government security forces. The cases appear to be the result of the lawlessness in which Darfur is engulfed rather than a war tactic. Most incidents go unreported owing to social stigma, fear of reprisals and lack of confidence in the authorities. Several witnesses stated that there was rarely investigative follow-up on any potential criminal case of that nature reported to the authorities. In some instances, the victims inform only the UNAMID police, who can only refer the case to the local authorities anyway. For these reasons, most cases remain unpunished.

VIII. Implementation of the travel ban and assets freeze

A. Continuing investigation into designated individuals

162. In its resolution 1672 (2006), adopted in April 2006, the Security Council designated four individuals. The Panel met one of those individuals and obtained additional information on two others during the reporting period. The continuing conflict in Darfur notwithstanding, no person or entity has been designated or removed from the sanctions list since April 2006.

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[112] "Militias recruit young Darfuris to fight in East Jebel Marra", Radio Dabanga, 28 November 2013. Available from www.radiodabanga.org/node/60296 (accessed in November 2013).

[113] The Chief of Police for Southern Darfur, Major General Ahmed Osman Mohamed, estimated that there were 20,000 firearms in civilian hands in Southern Darfur and stated that he had even seen children carrying Kalashnikovs. See "20,000 weapons in hands of South Darfur citizens, children: Police Chief", Radio Dabanga, 6 September 2013. Available from www.radiodabanga.org/ node/55606 (accessed in September 2013).

[114] On 26 July 2013, Musa Hilal issued a command order to all members of the nomadic community and the Mahameed tribe that prohibits the recruitment and use of child soldiers.

[115] The Panel is unable to quantify the incidents of sexual and gender-based violence. In his reports on UNAMID for 2013, the Secretary-General identifies 72 incidents (see S/2013/225, S/2013/420 and S/2013/607).

Sheikh Musa Hilal, Paramount Chief of the Jalul Tribe in Northern Darfur

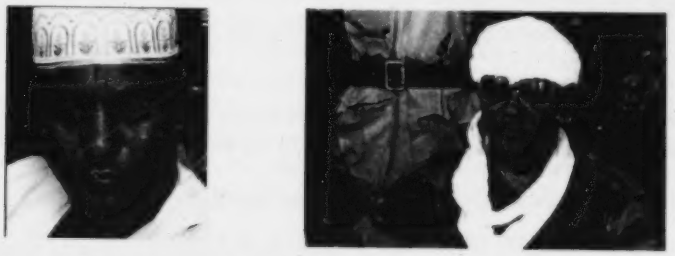
163. The Panel spoke to Sheikh Musa Hilal on 21 January 2014.

164. The Government has still to take steps to implement paragraph 3 (e) of resolution 1591 (2005). As indicated by the Panel in its report of 22 January 2013 (S/2013/79), the Government has neither requested nor received from the Committee an exemption from the assets freeze measures to make salary, pension or allowance payments.

165. The Panel has obtained the following new identifying information from the official website of the National Assembly[116] regarding the above-mentioned designated individual: Musa Hilal Abdalla Al Nasim. According to a close relative, Sheikh Musa Hilal's father's name is Hilal, his grandfather's name is Abdalla and his great-grandfather's name is Al Nasim. In addition, according to several well-informed sources, there may not be an official family name in the Sudan, meaning that the name of the grandfather and/or the great-grandfather could be used as a family name. In addition to being a title, his alias is "Sheikh".

166. A close relative of Sheikh Hilal (see figure 22) confirmed to the Panel that the designated individual was in his fifties. According to the *Sudan Tribune* website, he was born in 1961.[117]

Figure 22 (a) and (b)
Musa Hilal



Source: www.telegraph.co.uk/news/worldnews/africaandindianocean/sudan/1576269/Militia-leader-to-advise-Sudanese-regime.html (accessed on 16 January 2014) and www.sudanjem.com/2013/12/47 (accessed on 12 January 2014).

167. According to the official website of the National Assembly and several documents obtained by the Panel and signed by Musa Hilal Abdalla (see annex XIII to the present report and figures 23 and 24), he has the following responsibilities and status information:

(a) Founder of the Janjaweed militia;

(b) Member of the National Assembly from Al-Waha District;

(c) Member of the Security and National Defence Committee of the National Assembly;

[116] See appendix A to annex XIII to the present report.

[117] "Profile: Musa Hilal from a convicted felon to a government official", *Sudan Tribune*, 22 January 2008. Available from www.sudantribune.com/spip.php?page=imprimable&id_article=25660 (accessed on 16 January 2014).

(d) Member of the ruling party (National Congress Party);[118]

(e) Adviser in the Department of Federal Affairs;

(f) Native Chief Administrator and Community Leader of the Mahameed tribe (or *Nazir* of the Mahameed tribe (a clan of the Rezeigat tribe)).

168. According to well-informed sources, Sheikh Musa Hilal is frequently found in his hometown of Kabkabiya and the city of Kutum, Northern Darfur. He has also resided in Khartoum.

Figure 23
Signature of Musa Hilal (26 July 2013)

The Native Chief Administrator and Community Leader

Sheikh Musa Hilal

Signature: ..... Date: 26/07/2013

Source: Confidential.
Note: A copy of the document can be found in appendix C to annex XIII to the present report.

Figure 24
Signature of Sheikh Musa Hilal Abdalla, as adviser to the Department of Federal Affairs and member of the Sudanese parliament (10 September 2013)

١- الشيخ / موسى هلال عبدالله مستشار ديوان الحكم الاتحادي وعضو البرلمان السوداني

Source: Confidential.
Note: A copy of the document can be found in appendix D to annex XIII to the present report.

Violation of the travel ban

169. The Panel investigated a violation of the travel ban by Sheikh Musa Hilal. In a media interview on 4 March 2013, he confirmed that he had recently travelled to the United Arab Emirates to conduct "personal business" and "to discuss the Doha Agreement with some members of the Sudanese movements".[119] The Permanent Representative of the United Arab Emirates to the United Nations informed the Panel in a letter dated 9 October 2013 that the authorities of the United Arab Emirates had found no official records in connection with Sheikh Musa Hilal for any entry to or exit from the country. They confirmed that he was on their travel ban list.

[118] Reports that he has left the National Congress Party are unconfirmed. Others deny the allegations that he has left.

[119] See appendix E to annex XIII to the present report.

170. Furthermore, Sheikh Musa Hilal confirmed to the Panel that he had travelled to Dubai from late November 2012 to mid-February 2013 and stayed at the Al Raya Hotel Apartments there.[120] The Panel also learned that he travelled directly from Khartoum to Dubai with Emirates and returned to Khartoum with the same airline. According to a confidential and credible source who saw him in Dubai, the designated individual travelled with a red Sudanese passport that the Panel confirmed was a Sudanese diplomatic passport issued by the Government.[121] It is highly probable that Sheikh Musa Hilal travelled with a diplomatic passport with the new identifying information provided above, or with different aliases, and not with the names known for him, which are also available on the Committee's webpage.

Gabril Abdul Kareem Barey (also known as Tek), former National Movement for Reform and Development Field Commander

171. The Panel met Gabril Abdul Kareem Barey (also known as Tek) on 20 May 2013 and on 5 December 2013 in El Fasher.

172. The Darfur Regional Authority Minister of Social Affairs, Khalil Abdalla, and the Deputy President of the Darfur Regional Authority, Yassin Youssef, were also present at the first meeting. During the meeting, Gabril Abdul Kareem Barey provided an identification card from LJM bearing his picture and name. He also later admitted to holding a Sudanese passport, despite having denied it at the beginning of the interview.

173. Gabril Abdul Kareem Barey confirmed to the Panel that he was a general (not a colonel) in 2005 and that he had troops under his operational command. He confirmed that he was in command of the area where the kidnapping of the African Union Mission in the Sudan personnel occurred, near Nana in Western Darfur. The Minister of Social Affairs noted that the Mission had not contacted the National Movement for Reform and Development before entering the area under its control. Gabril Abdul Kareem Barey categorically denied participating in the kidnapping or intimidation operations, but did not deny that the events had actually occurred.

174. The Minister of Social Affairs stated that the National Movement for Reform and Development did not agree with the said allegations and also that Gabril Abdul Kareem Barey had been unable to arrange any interaction with the United Nations, including the Panel, and the African Union, despite seeking to reach out to them in the past. Gabril Abdul Kareem Barey claimed that he had not been investigated properly. The Panel noted that the family name on the military identity card issued by LJM, was "Badri" and not "Barey", as previously known to the Committee and the Panel.

New identifying information

175. On 24 September 2013, the Panel obtained a copy of a government-issued identification document for "Jibril Abdulkarim Ibrahim Mayu"[122] from the Darfur Regional Authority.

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[120] Panel telephone interview on 21 January 2014. Sheik Musa Hilal also stated that he travelled to Egypt in 2009. The Panel is investigating this claim.

[121] Confidential Sudanese diplomatic sources.

[122] See appendix A to annex XIV to the present report and the translation in appendix B.

176. The official document was issued by the Sudanese Civil Registration Directorate General on 25 March 2013 and signed by Colonel Hasan al-Tijani Ahmad. The national identification number of the above-mentioned designated individual is 192-3238459-9. According to the document, his full name is Jibril Abdulkarim Ibrahim Mayu. He was born on 1 January 1967 in Nile District, El Fasher, Northern Darfur. His mother's name is Awadiyah Bahr Abdullah Jundi. He is married and self-employed.

177. At the second meeting with "Tek" on 5 December 2013, the designated individual confirmed to the Panel that the document obtained on 24 September 2013 was authentic and, in addition, provided a certificate of Sudanese nationality acquired through birth,[123] issued pursuant to article 7 of the Sudanese Nationality Act (1957) of the then Democratic Republic of the Sudan (the previous official name of the Sudan under Major General Gaafar Mohamed Nimeiri). The certificate (No. 302581) states that the name and surname are Jibril Abdulkarim Ibrahim Mayu and attests that Jibril is the son of Abdulkarim Ibrahim Mayu and that he is a Sudanese national by birth. The certificate was issued on 31 January 1984 at Madani, Jazeera governorate.

Figure 25
Jibril Abdulkarim Ibrahim Mayu (also known as Tek)

Source: Panel (5 December 2013).

178. "Tek" (see figure 25), who attended the meeting of 5 December 2013 with his lawyer, confirmed that he did not have a Sudanese passport (contrary to his statement to the Panel on 20 May 2013) or other passports and that he would submit a delisting request to the Secretariat and to the Committee. At the end of the meeting, the Panel observed that he drove away in an old green Toyota 4 x 4 with no registration plates (it is noteworthy that, in general, only the National Intelligence and Security Services or government vehicles in Darfur do not carry registration plates). The Panel also noted that his personal bodyguard was overtly armed with an AK-derivative folding stock assault rifle and that he wore a chest rig with additional magazines for the weapon. This is indicative of his status as a current LJM Field Commander.

[123] See appendices C and D to annex XIV to the present report and the translation in appendix E.

Violation of the travel ban

179. The Panel investigated a violation of the travel ban by Gabril Abdul Kareem Barey. It is almost certain that he travelled to N'Djamena during the last week of October 2013 with a delegation from the Darfur Regional Authority that included Al-Tijani Al-Sissi, Chair of the Darfur Regional Authority. "Tek" was with him in N'Djamena late in October 2013. Barey also confirmed to the Panel that he had been to Chad for two to three weeks and that he had visited his mother who lives in the Sultanate of Kabka in eastern Chad (close to the border with the Sudan).

180. The Chadian authorities are currently investigating the above-mentioned travel ban violation. The Panel believes that it is probable that "Tek" travelled with an official Sudanese document issued with the new identifying information provided above or with other aliases previously unknown to the Committee and the Panel.

181. The Panel also learned from the designated individual on 5 December 2013 that he had travelled to a Member State during 2007 and 2008. The Panel is currently investigating this claim.

Adam Yacub Shant, Sudanese Liberation Army Commander

182. On 4 December 2013, two representatives of SLA/MM confirmed to the Panel that Adam Yacub Shant (also known as Bambino), a former SLA commander, had indeed died in June 2012 (see S/2013/79). Documentary clarification is awaited.

Implementation by the Government of the Sudan

183. The Panel submitted a questionnaire to the Sudanese authorities on 29 April 2013[124] to seek clarification of previous official statements by the Ministry of Finance on the implementation of the travel ban and assets freeze. The Ministry had previously informed the Panel (pursuant to Security Council resolutions 1982 (2011) and 2035 (2012)) that the Government could implement the sanctions only pursuant to an order passed by a specially constituted court. On 19 June 2013, the Panel met the rapporteur of the Advisory Council for Human Rights and the National Commission for International Humanitarian Law, who stated that the Government of the Sudan was unable to freeze the assets of any designated individual or to deny him or her permission to travel without a court order. The Panel has asked whether such a court or other relevant body has been formed and whether any order has been issued to implement the assets freeze. The Panel has not yet received a response.

B. Financing of armed opposition groups

184. Although not explicitly mandated to investigate the financing of armed opposition groups by the Security Council in its resolutions on the Sudan, the Panel has investigated the sources of such financing because such financing can, directly or indirectly, contribute to arms embargo violations. Given that the sources of financing and the financial soundness of armed opposition groups have a major impact on their sustainability and operational capability, the investigation of this area should be specifically included in future mandates. That armed opposition groups have been able to sustain themselves over a protracted period, in particular

[124] Letter from the Panel dated 29 April 2013.

when previous allies have withdrawn support, means that it is highly probable that they are finding new financial and logistical sources to sustain their operations. This may include organized criminal activities. Armed opposition groups require funding to maintain their capability to conduct military operations while also engaging in political dialogue and media awareness. The Panel has concluded that it is very probable that separate funding streams are required, both internal and external.

Internal funding to sustain military operations

185. Armed opposition groups operating in Darfur have limited options when it comes to mobilizing financial and logistical resources. Essentially, they must rely on the proactive support of political patrons or sympathizers and on "the entrepreneurial opportunities"[125] of their members to raise the necessary funds in support of military operations. Such funds may be used:

(a) To cover salaries or personal expenses of their fighters;

(b) To sustain military operations by procuring combat supplies (weapons, ammunition, rations, vehicles and fuel);

(c) To sustain military operations by procuring technical spares (for vehicles and communications equipment);

(d) To recruit new members.[126]

186. The Panel has focused on analysing the groups' operational costs in order to understand their financial requirements and their main sources of revenue. To develop such a model accurately, the Panel is developing systems to obtain and refine the following data:[127]

(a) Number of fighters in the field;

(b) Daily food ratio (protein, rice and water);

(c) Number and types of vehicles;

(d) Transport costs (such as spare parts, fuel and oil);

(e) Telecommunication costs (number of satellite and mobile phones, airtime units and two-way radio equipment);

(f) Specialist weapons and ammunition that cannot be captured from the national armed forces.

187. The number of operational fighters and hence the immediate requirement for combat supplies and technical spares are variables that change frequently and seasonally. For example, the armed opposition groups and the national armed forces

[125] Jennifer M. Hazen, "From social movement to armed group: a case study from Nigeria", in *Armed Groups and Contemporary Conflicts: Challenging the Weberian State*, Keith Krause, ed. (London, Routledge, 2010), a reproduction of *Contemporary Security Policy*, vol. 30, No. 2.

[126] Interviews with various armed opposition group representatives conducted throughout the mandate.

[127] This will require a strategic approach over the coming few years of any future Panel operations in order to increase the accuracy and confidence levels of the model. The Panel estimates that in these early stages of development of the model the data are accurate only to a confidence level of +/- 40 to 90 per cent. In effect, the data are still only within the correct order of magnitude of the financial needs.

issue regular statements after violent engagements in which they detail the requisition or loss of vehicles and combat supplies. The results of violent engagements affect the force levels of the armed opposition groups and their financial requirements for immediate sustainability. Similarly, as fighters return home to assist with harvests and land maintenance, the combat supplies requirement again falls.

188. It is initially estimated that the daily operational cost per fighter varies between $1 and $3, where each fighter requires one or two meals per day and each vehicle can transport between 5 and 10 fighters.[128] In addition, each armed opposition group operating in Darfur has a limited number of regular fighters but can mobilize additional fighters at any given time. The groups usually rely on the readiness of fighters and families (and sometimes tribes) that are loyal and sympathetic to their cause, other local or regional groups that feel the strategic need to consolidate their fighting forces and individuals motivated by economic incentives (e.g. sharing captured resources).[129]

189. The reality is that the Darfurian armed opposition groups do not really need significant resources to recruit fighters; they can be compared with armed groups that attract activist-minded fighters with participatory strategies.[130]

190. It is probable that the armed opposition groups had access to the approximate force levels for military operations in Darfur in December 2013 shown in table 4.[131]

Table 4
Estimated force levels of armed opposition groups in Darfur (December 2013)

Armed opposition groups	*Estimated currently operational in Darfur*[a]		*Maximum recruitment level*	*Remarks*
	Minimum	*Maximum*		
JEM	800	1 200	2 500	JEM could easily mobilize fighters in Darfur where the group's cause and its late leader Khalil Ibrahim enjoy significant popular support among the Zaghawa and other tribes.
SLA/AW	690	2 500	3 500	SLA/AW could easily mobilize fighters in Darfur, where Abdul Wahid Al-Nur enjoys significant popular support, especially among his own Fur tribe.
SLA/AK	60	80	200	A growing faction.

[128] Several interviews conducted by the Panel with armed opposition group representatives.

[129] Several interviews conducted by the Panel with international organization staff, officials of the Government of the Sudan, various embassy officials in Khartoum, armed opposition group representatives, the media and regional specialists.

[130] Achim Wennmann, "Economic dimensions of armed groups: profiling the financing, costs, and agendas and their implications for mediated engagements", *International Review of the Red Cross*, vol. 93, No. 882 (June 2011).

[131] The estimation is based on several interviews with regional experts and armed opposition group members and on a document previously obtained from the Government.

Armed opposition groups	Estimated currently operational in Darfur[a,b]		Maximum recruitment level	Remarks
	Minimum	Maximum		
SLA/MM	550	2 500	5 000	SLA/MM could easily mobilize fighters in Darfur, as well as in Khartoum, where Minni Minnawi enjoys significant popular support among the Zaghawa and other tribes.

[a] These are estimated and fluid numbers that reflect the situation on the ground as at 10 December 2013. It is difficult to estimate accurate operational data for Darfur because fighters for each of the armed opposition groups move between Darfur, Kordofan and Blue Nile. As at December 2013, the main centre of gravity of opposition group operations was outside Darfur, hence the number of operational fighters is low compared with the maximum recruitment levels. This is supported by the data contained in annex III to the present report, which clearly show that SLA/MM operations were predominant in the first three quarters of 2013, with SLA/AW becoming predominant in the final quarter.

[b] These data are accurate only to a confidence level of +/- 40 to 85 per cent. In effect, the data are still only within the correct order of magnitude of the armed opposition group strength.

191. From those estimated force levels, the Panel has estimated that it is likely that the financial requirements to sustain military operations within Darfur by the armed opposition groups are as shown in annex XV to the present report. Options are developed in the model for $1 or $3 per day per fighter for a range of credible minimum and maximum operational force levels. Data have also been developed for the maximum recruitment levels. In summary, the annual predicted financial requirements are as shown in table 5.

Table 5
Estimated financial requirements of armed opposition groups

Armed opposition groups	Estimated currently operational in Darfur		Annual requirement ($1 per day scenario)		Annual requirement ($3 per day scenario)	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
JEM	800	1 200	292 000	438 000	876 000	1 314 000
SLA/AW	690	2 500	251 850	912 500	755 550	2 737 500
SLA/AK	60	80	21 900	29 200	65 700	87 600
SLA/MM	550	2 500	200 750	912 500	602 250	2 737 500
Total	**2 100**	**6 280**	**766 500**	**2 292 200**	**2 299 500**	**6 876 800**

192. The Panel is certain that JEM captured more than $500,000 in cash, in addition to satellite communications equipment, during the attack of 12 May 2013 against Mohamed Bashar. That single operation may have generated sufficient funds for JEM to sustain its military operations within Darfur for slightly more than one year at the $1 per fighter per day level.

193. The Panel has grounds to suspect that well-organized criminal networks associated with armed opposition groups or organized criminal groups are taking advantage of the porosity of the borders with all the countries neighbouring Darfur

to smuggle commercial goods and thereby obtain funding for their operations. It is noteworthy that historical and seasonal cross-border trafficking and movement, livestock trades and commodities exchanges have allowed organized criminal networks to flourish across the long and porous borders of most sub-Saharan African countries.[132]

194. The Panel has initiated analysis of commercial activities between Darfur and the eastern region of Chad (mainly the towns of Abéché and Goz Beïda) and between Darfur and South Sudan (mainly the States of Western Bahr El Ghazal and Northern Bahr El Ghazal) in order to identify how any armed opposition groups may benefit from such undertakings. This research is in its early stages and more time will be required to identify clear trends and accurately quantify the financial benefits derived from cross-border trade or smuggling between Chad and the Sudan and between South Sudan and Chad. The Panel was unable to conduct an investigative mission to the Central African Republic owing to the continuing unrest there.

195. The continuing economic crisis in the Sudan affects the resource mobilization capacities of the armed opposition groups and the overall conflict dynamics in Darfur. As noted in the Panel's report of 22 January 2013 (S/2013/79), armed opposition groups can support their military and operational financial requirements by benefiting from local or cross-border contraband markets, by seizing vehicles, ammunition and weapons from government security forces, by carjacking, by looting from civilians and tribes that are friendly to Khartoum and by establishing informal checkpoints to collect money and fuel. An example of attempted checkpoint extortion for the safe passage of UNAMID convoys was attempted by SLA/AW on 29 December in a letter to the Kabkabiya team site (see annex XVI to the present report).

196. The domestic harvesting of resources in Darfur such as the livestock trade or exploitation of mineral resources is another source of financing.[133] The Panel is monitoring the exploitation of gold mines in Darfur, but has no evidence that they are yet being used as a primary source of financing for armed opposition groups.

External funding to sustain activities

197. Given that most political leaders live and/or operate outside the Sudan, separate sources of financial resources are required to cover:

(a) Travel and accommodation (personal and offices);

(b) Salaries and personal expenses;

(c) Communications;

(d) Issues relating to political campaigns or events.[134]

198. Financial support from political patronage or sympathizers, which also includes diaspora support, is in general opaque and extremely difficult to trace. Usually, supporters mainly resort to cash-couriers and/or to a trust-based informal value transfer system (hawala). They can also transfer funds through international

[132] Interviews with several regional specialists.
[133] Interviews with regional experts and armed opposition group representatives.
[134] Panel's observations and deductions.

(or regional) trade. This trade as a funding source is often undetected owing to its low relative volume, the use of shadow or front companies and the complexity and diversity of payment options.[132] The Panel has identified some individuals operating from Europe and the Middle East who are allegedly financing Darfurian armed opposition groups.

199. External assistance from countries in the region or elsewhere through political patronage is another possibility, but the Panel has not yet identified any evidence to support such claims.

200. The sociopolitical, geographical and economic contexts of Darfur offer an environment for armed groups to develop entrepreneurial opportunities (this could also be generalized to the Sudan). It is noteworthy that some leaders of armed opposition groups have run or been partners in local and international businesses during their careers and it is highly likely that they are continuing to generate significant profits from their investments.

201. In conclusion, the operational cost modelling under development by the Panel strongly indicates that the conflict in Darfur could be described as a low-cost armed conflict. It is relatively inexpensive for armed opposition groups to achieve, in some cases, significant and costly effects. This could help to explain why the groups have been able to maintain the conflict for more than 10 years, despite losing significant regional and external support. It also appears that the groups' leaders require more resources than their field commanders and fighters in order to support their regional and international expenses.

202. The low financial resource requirement to sustain the groups' military operations means that financial factors do not have the influence in terms of conflict resolution that they may have in other areas of conflict within the wider region. Darfur may be termed a "poor conflict" in the field, but requires significant funding for leadership, management and political activities.

IX. Political process and progress towards removing impediments to the peace process

A. Progress in the implementation of the Doha Document for Peace in Darfur

203. Power-sharing arrangements have been finalized. The higher-level offices of the Darfur Regional Authority are operational, as are its subsidiary bodies, although the lack of funding has hampered their activities. JEM/Bashar, a co-signatory to the Doha Document for Peace in Darfur since 6 April 2013, was integrated into the Authority in November 2013.

204. Although some commitments have been partially respected (Special Court for Darfur, Compensation/*Jabr Al-Darar* Fund), the provisions of the Doha Document are far from being fully implemented. In November 2013, following a lengthy period of uncertainty, the Government of the Sudan and the Darfur Regional Authority announced an agreement whereby 3,000 elements of LJM, the armed wing of the Authority, would be integrated into the army and the police.

205. The process of rebuilding and developing Darfur is under way. At the International Donor Conference for Reconstruction and Development in Darfur, held in Doha on 7 and 8 April 2013, in which the Panel participated as an observer, the participants endorsed the Darfur Development Strategy, which is designed to lay the groundwork for the transition to peace, stability and sustainable development in Darfur. Donors have pledged $3.7 billion therefor. The Government of the Sudan committed a credit of $2.65 billion and the international community announced that it would contribute $1 billion, which includes $500 million from Qatar. The establishment of a development fund totalling $2 billion was announced in Doha in September 2013.

206. Some 1,070 microprojects are planned (for a value of 400 million Sudanese pounds or $82.5 million),[135] of which 315 should be under construction shortly.

207. UNAMID and the Darfur Regional Authority continue to disseminate the Doha Document for Peace in Darfur to the public by holding workshops to promote a culture of peace. The facilitators (UNAMID, the African Union and Qatar) have prepared a road map to launch the implementation in 2014 of the Darfur internal dialogue and consultation strategy provided for in chapter VII of the Doha Document.[136]

B. Obstacles to the implementation of the Doha Document for Peace in Darfur

208. The slow progress and delays in the implementation of the Doha Document for Peace in Darfur are a source of frustration among the people, who wish to realize a peace dividend. Delays in honouring some commitments (relating to the voluntary return of internally displaced persons and refugees, justice and reconciliation, truth and reconciliation, monitoring and accountability) by the Government of the Sudan and the Darfur Regional Authority remain a thorny issue. The widespread hotbeds of tension remain the real threat, however. The pervasive insecurity during the period under review and the impact of the economic crisis have considerably undermined the Authority.

Widespread instability

209. Instability continues to pose a problem in many areas in Darfur because of the wide proliferation and ready availability of small arms and light weapons. Darfur is prone to one-off attacks targeting UNAMID and almost daily acts of violence (crime, murder, theft, armed attacks, kidnappings and ambushes), all too often perpetrated by unidentified individuals.

Exacerbation of intertribal fighting

210. Intertribal clashes have unleashed resentment, leading to senseless violence in Darfur. Intertribal fighting worsened during the period under review, thus hindering the implementation of the Doha Document for Peace in Darfur by, for example, increasing the difficulty of initiating development projects owing to security concerns (as recently indicated by the Chair of the Darfur Regional Authority). The

[135] Official exchange rate as at 10 October 2013 (www.xe.com).

[136] See art. 76, paras. 469-478.

fighting left hundreds dead and injured and resulted in the inhumane treatment of men, women, older persons and children, the perpetration of acts of violence (the burning and destruction of homes, businesses and even livestock) and the internal displacement of many people. The traditional mechanisms for intertribal reconciliation and the cessation of hostilities have become obsolete and ineffective.

211. In addition to the continuing financial crisis and the weak rule of law, intertribal conflicts are also motivated by militarization and politicization of tribes.

Militarization of tribes

212. Evidence obtained by the Panel shows that it is highly likely that some directly supported government security forces (the Popular Defence Forces, the Central Reserve Police and the Border Guard) operate in support of some tribal objectives. The economic crisis is forcing the Government to show less generosity towards its tribal supporters. The Government's financial and logistical constraints have thus forced the Janjaweed, militias and tribal armed groups to advocate autonomy and operate independently of government control when it suits them to do so. The weaponry initially supplied by the Government to support their directed activities is now used for primarily tribal purposes, which has fuelled the clashes between tribes that had previously supported the Government. This militarization of the tribes, and the development of purely tribal armed groups, has been heightened by human insecurity and thus the requirement for a self-defence capability.

Politicization of tribes

213. Since the beginning of the conflict in 2003, the Government has encouraged the establishment of tribal militias and has organized them into brigades as the proxy (Janjaweed) forces of the national armed forces to combat armed opposition groups. This armed mobilization, through which tribes are pitted against one another, not only has caused the disintegration of the multicultural and social tribal fabric, but also has led to disunity within individual tribes. The human morphology of Darfur has thus been marked by political confrontations between tribes living on the same land. In a symposium on the politicization of the tribes and its impact on the social fabric, the Chair of the Legislation and Justice Committee of the National Assembly stressed that "tribalism has become a threat to the unity of the Sudan and its people".

214. The ineffective approach of the Government with regard to the intertribal fighting has created a vacuum in Darfur that Sheikh Musa Hilal (see paras. 163-170) has allegedly been seeking to fill since retreating to his native Kabkabiya, Northern Darfur, during the month of Ramadan (August 2013).

215. With his influence over the tribes and financial power, Sheikh Musa Hilal is reportedly attempting to revitalize the role that the native administration would play vis-à-vis the central authorities. He is particularly critical of the Government's handling of the conflict in Darfur. He endlessly reiterates his loyalty to the President, but criticizes the behaviour of some individuals in the central and local governments who pit the tribes against one another. It has been reported that he has joined the reformist movement.[137]

[137] According to recent media reports, he has broken with the National Congress Party and founded the Sudanese Awakening Revolutionary Council.

216. More importantly, he has stated that he maintains contacts with rebel movements and members of SRF. A government official nonetheless mentioned to the Panel that, his harsh criticism of the attitude of some government officials notwithstanding, Sheikh Musa Hilal would not sever ties with the regime and would not form an alliance with the Zaghawa and Fur rebels.

C. Impediments to the peace process

217. Within this trying and increasingly confusing and complex context, the peace process has stalled. The Government and the armed opposition groups maintain diametrically opposed positions that are based on a confrontational mindset.

218. The Government continues to primarily apply a military and security approach to the conflict, rather than a more holistic approach. The national armed forces continue to retaliate with disproportionate measures by continuing their air strikes, which often have a fatal collateral impact on the civilian population.

219. During the first half of 2013, SLA/MM carried out a number of attacks in Darfur against national armed forces positions, including in Labado and Muhajeria (in Eastern Darfur) on 6 April 2013, the same date that the JEM/Bashar dissident faction signed the Doha Document for Peace in Darfur.

220. Although JEM has concentrated its military attacks in Kordofan, it has repeatedly urged the international community to boycott the International Donor Conference for Reconstruction and Development in Darfur. On 19 April 2013, JEM attacked and killed the Deputy Commanding General of the JEM/Bashar fighting forces, Saleh Mohammed Jerbo Jamus. On 12 May 2013, JEM attacked and killed the leader of JEM/Bashar in Chad (see paras. 140-145). At an extraordinary meeting held in Doha on 4 June 2013, the Implementation Follow-Up Commission of the Doha Document for Peace in Darfur harshly condemned the death of Bashar as "an act of vengeance (and a) deliberate move to dissuade others who may be willing to join the peace process".

221. Armed activities by SLA/AW remain sporadic. On the day before an internally displaced persons conference organized by the Darfur Regional Authority in Nyala (25 and 26 March 2013), SLA/AW kidnapped 31 delegates to keep them from participating.

222. There is developing evidence that an operational group within SLA/AW led by Ali Karbino broke away from SLA/AW late in 2009. Since then, little information has been available on his activities or the number of fighters loyal to him. On 10 September 2013, a group referred to as SLA/AK (Ali Karbino) claimed responsibility for a particularly deadly attack against the Government at Um Hashaba. This new group is now responsible for some of the deadliest attacks against government forces over the past six months.

223. After the armed opposition groups reduced hostilities during the rainy season (June to September), SLA/MM and JEM alluded to the Panel that they intended to further reduce, or even cease, all hostilities, at least in Darfur.

224. The inclusive political process continues to be undercut by the irreconcilable demands of the Government and the armed movements that have not signed the Doha Document for Peace in Darfur. Those parties remain averse, for different

reasons, to responding to the Security Council's urgent call in resolution 2091 (2013) to engage immediately and without preconditions and to make every effort to reach a comprehensive peace settlement on the basis of the Doha Document for Peace in Darfur and to agree upon a permanent ceasefire without further delay.

225. The Government continues to declare that it will finalize an agreement on Darfur only with the Darfurian movements, thus excluding the Sudan People's Liberation Movement-North (SPLM-N). It dissociates the resolution of the Darfur conflict from the crises in Southern Kordofan and Blue Nile and refuses to renegotiate the Doha Document for Peace in Darfur, agreeing to make, at the most, a few adjustments (in particular on the sharing of power and security arrangements).

226. On the basis of the Panel's interviews with SLA/MM and JEM, it is clear that the Darfurian movements seriously doubt the sincerity of the Government's commitment to peace. Driven by an acute distrust of the regime, which according to the armed opposition groups has never honoured the agreements that it has signed since its accession to power on 30 June 1989, the movements reject the Government's "Darfur only" approach. JEM, for example, criticizes what it refers to as the "bias and lack of neutrality" of Qatar and rejects the Doha Document for Peace in Darfur, stating that it "is not an inclusive peace agreement but a simple, ill-conceived contract that does not address the root causes of the conflict". These movements say that, "rather than seeking to satisfy the selfish interests that the Doha Document for Peace in Darfur could offer (ministerial posts), they wish to uphold the spirit of the struggle that has been under way for over ten years, and to continue that struggle in order to fulfil the hopes of the people of Darfur". SLA/MM and JEM have taken a position in solidarity and in agreement with their partners in SRF (SLA/AW and SPLM-North) and are proposing an alternative to the Doha Document by advocating a "holistic and comprehensive resolution to all the crises in the Sudan".

227. The Panel's interviews with JEM and SLA/MM clearly revealed their bitterness towards the international community, which they believe remains devoted to the Doha Document for Peace in Darfur and will not offer them an alternative. They are also critical of what they refer to as the "ostracism" by the African Union of the Darfur rebels and its alignment with the government position. The armed opposition groups remain critical of the partiality displayed by the African Union Peace and Security Council and attacked the conclusions that it issued at its 400th meeting, held in Addis Ababa on 17 October 2013, in which it "reiterates its call to the holdout groups to join the peace process without any further delay and without preconditions" and "stresses that the negotiation process can not remain open-ended, and expresses its intention to take measures and recommend to the UN Security Council to do the same against those impeding the search for peace in Darfur".

D. Regional environment

228. In their meetings with the Panel, the authorities of Chad, South Sudan and Uganda all indicated that the political climate in the region, which varies by country, was less tense.

229. Considering the borders and tribal relations that it shares with the Sudan, Chad is more directly involved with Darfur. The establishment of peace in Darfur is a matter of great interest for Chad. Relations between Chad and the Sudan have normalized since 2010. The Joint Border Force, established pursuant to the

agreement of 15 January 2010, is operating to the satisfaction of both parties. According to an official spokesperson, this agreement grants Chadian troops the right of hot pursuit up to a distance of 50 km into Darfur. The President of Chad, Idriss Deby Itno, played a major role in convincing Mohamed Bashar (JEM/Bashar) to break away from JEM and to sign the Doha Document for Peace in Darfur. The President then held a meeting from 22 to 27 October 2013 in Um Jaras, which brought together several Zaghawa leaders, the Special Representative of the Sudanese President in Darfur and the Chair of the Darfur Regional Authority to negotiate an agreement based on the Doha Document with the Zaghawa tribe. JEM and SLA/MM, both movements headed by Zaghawa leaders and champions of the rebellion, criticized the initiative of the President of Chad (who belongs to the Bidayat clan of the Zaghawa), whom they claim is "interfering in the internal affairs of the Sudan and shaping the conflict along ethnic lines".[138]

230. Since April 2013, relations between South Sudan and the Sudan have improved and there is a positive bilateral spirit. South Sudan recognizes that the Sudan has expressed "greater willingness to cooperate". The South Sudanese authorities confirmed to the Panel that the situation was calm along the entire length of the "temporary" line demarcating the border between the South Sudanese States of Northern Bahr el Ghazal and Western Bahr el Ghazal and Southern Darfur. They denied the deployment of Darfur rebels in their territory.

231. According to those interviewed by the Panel, South Sudan is refraining from interfering in the affairs of Darfur. It has taken the same position towards the Government of the Sudan and the armed opposition groups, limiting itself to encouraging them to find a path to a negotiated resolution to the conflict.

232. Uganda maintains a "working relationship" with the Sudan. The two countries maintain bilateral relations on technical and security matters within the Joint Ministerial Commission. The issue of the Lord's Resistance Army remains the perennial bone of contention between the two countries.

233. According to Ugandan officials, Uganda is host to more than 1,600 Darfurian refugees "on humanitarian grounds", in addition to the "Darfurian members of SRF". The Panel's official contacts denied that there had been any support of any kind for the Darfurian movements.

234. The Central African Republic is a special case. The tripartite border commission (comprising the Central African Republic, Chad and the Sudan) has been defunct for several years. It appears that Darfur has had a negative impact on the situation in the Central African Republic since the takeover by the Séléka rebels. According to testimony gathered by the Panel from confidential sources, some 2,000 Darfurian elements, led by "General" Moussa Assimeh, helped the leader of the Séléka coalition, Michel Djotodia, to seize power in Bangui on 24 March 2013. Those Darfurian elements, described by the Panel's sources[139] as mercenaries,

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[138] A delegation of 22 Zaghawa representatives who participated in the meeting at Um Jaras met JEM and SLA/MM in Addis Ababa following the technical workshop organized by UNAMID and the Intergovernmental Authority for Development in order to clarify the scope of the meeting held by the President of Chad. Referring to this meeting, the leaders of SLM/MM and JEM have stressed "their refusal to reduce the Sudanese cause to a tribal framework". They reject "the Chadian military intervention in Sudanese internal affairs".

[139] Confidential source and "Centrafrique: retour au Soudan du général Moussa Assimeh ex-Seleka", RFI, 21 October 2013. Available from www.rfi.fr/afrique/20131021-rca-centrafrique-general-moussa-assimeh-ex-seleka-retour-soudan (accessed on 9 January 2014).

terrorized the country and looted areas rich in natural resources (gum arabic, ivory, coffee, gold and diamonds). The Panel was unable to conduct a scheduled investigation mission to the Central African Republic owing to the chaotic security situation in Bangui at that time.

E. Progress towards removing impediments to the peace process

235. Peace efforts continue to be stymied by the contradictory positions adopted by the two sides.

236. At this stage, the Government appears to be holding firm to its position, which involves dealing with SRF through two parallel channels: one emphasizes talks with SPLM-North (Southern Kordofan and Blue Nile) and the other is limited to engaging with the Darfurian movements on the Doha Document for Peace in Darfur.

237. According to the Panel's contacts in JEM and SLM/MM, the Darfurian members of SRF are eager to find "the path to peace" that will overcome the persistent obstacles. They now advocate a "new political vision", organized around a "broad national dialogue". The movements affirm their commitment to peace through the organization of a general conference that would include all political forces, including parties deemed "honourable" by the ruling National Congress Party, key stakeholders and all members of Sudanese civil society. The initiative would lead to the establishment of a transitional national union government (for four years), which would be responsible for drafting a new constitution and organizing presidential and legislative elections at the federal and local levels. The transitional period would also be the time to finalize an agreement for a general cessation of hostilities and to draft a declaration of principles, which could incorporate elements of the Darfur Peace Agreement (also known as the Abuja Agreement, signed on 5 May 2006) and the Doha Document for Peace in Darfur.[140] Through a European tour in November 2013, an SRF delegation, which was led by the head of SPLM-North and included the leaders of the three Darfur movements, attempts were made to raise support among the international community for the new political vision of SRF. According to the Panel's contacts within the movements, the idea of a national dialogue has aroused some interest here and there.

238. Bringing the inclusive political process back on track will be a delicate operation, given that it involves finding ways to temper the armed opposition groups' uncompromising commitment to a comprehensive and definitive resolution to all crises in the Sudan with regard to the Security Council resolutions that support the Doha political process.

239. The African Union-United Nations Joint Special Representative for Darfur, Head of UNAMID and Joint Chief Mediator is tirelessly continuing his efforts in accordance with the terms of his mandate. After initiating a first round of consultations with JEM and SLM/MM, held in Arusha, United Republic of Tanzania, from 22 to 27 August 2013, he organized, together with the Intergovernmental Authority on Development, a technical workshop on all-inclusive peace and security in Darfur, held in Addis Ababa from 9 to 11 December 2013, which the Panel attended as an observer. It included the participation of JEM and

[140] In this scenario, JEM and SLM/MM would give up their weapons and become purely political parties.

SLM/MM. With SLM/Abdul Wahid plagued by internal divisions, its head boycotted the workshop and the consultations. JEM and SLM/MM joined the Joint Special Representative/Joint Chief Mediator in a brainstorming session on the human rights and humanitarian situation, the protection of civilian operations, the humanitarian cessation of hostilities and international humanitarian law. At the end of the session, the two movements issued a joint communiqué in which they reiterated their commitment to "a total and temporary cessation of hostilities, unrestricted access to humanitarian aid, respect and enforcement of international humanitarian law and human rights, and a comprehensive peace which can only be achieved through the unification of the paths of peace and the meeting of all stakeholders around a sole negotiating table".[141]

240. The Chair of the committee in charge of contacts with non-signatory parties to the Doha Document for Peace in Darfur,[142] Siddiq Wada'a, who followed the progress of the technical workshop in Addis Ababa behind the scenes, continues his efforts to engage JEM and SLM/MM, hoping to convince them to participate in the Darfur peace process. In an interview with the Panel in Addis Ababa, he stated that his efforts aimed to "unite the Darfurian diaspora and the armed opposition groups via a platform of solidarity and consensus for a comprehensive settlement of the conflict in Darfur". This initiative, according to its proponent, "would be likely to pressure the Government of the Sudan to finalize a peace agreement that would reflect the will of Darfurians". In view of the position taken by the armed opposition groups, at this stage the approach is far from reaching the expected results.

X. Recommendations

241. The Panel recommends that the Security Council:

(a) Consider prohibiting the use of Antonov An-26 and An-32 aircraft by the Sudan in the airspace of the Darfur region of the Sudan and also consider deciding that the measures shall not apply to the use of Antonov An-26 and An-32 aircraft for the movement of emergency humanitarian supplies into the Darfur region that are approved in advance by the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan upon a request by the Government of the Sudan;[143]

(b) Consider specific language mentioning the requirement for the Panel of Experts to investigate the sources of financing of all armed groups in future Security Council resolutions;

(c) Consider instructing the Panel to move from a triannual reporting programme (interim, midterm and final) to a biannual reporting programme (midterm and final).

242. The Panel recommends that the Committee:

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[141] See www.sudanjem.com (14 December 2013).

[142] The committee, which falls under the Darfur Regional Authority, was established during the All Darfur Stakeholders Conference held in El Fasher on 12 July 2012. Its Chair is a wealthy Darfurian entrepreneur (Mima tribe) and member of the National Congress Party.

[143] See annex XVII to the present report for full information on this issue.

(a) Issue an implementation assistance notice that urges and encourages States not to sell or supply arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts, whether or not originating in their territories, to the Government of the Sudan unless:

(i) The end-user certificate contains all the specific text referred to in paragraph 68 or text very similar thereto;

(ii) The end-user certificate contains a full description by model/make/type of materials being supplied, together with the appropriate serial, lot or batch number;

(iii) The signature, full name, appointment and full contact details of the authorizing individual are clearly visible on the end-user certificate;

(b) Issue an implementation assistance notice that urges and encourages States not to sell or supply spare parts for the Antonov An-26, An-30 and An-32 types of aircraft, whether or not originating in their territories, to the Government of the Sudan unless an end-user certificate is supplied in accordance with the recommendations made in the implementation assistance notice concerning end-user certificates recommended above;

(c) Amend the identifying and status information, in addition to the current location of the two designated individuals Gabril Abdul Kareem Barey (also known as Tek) and Sheikh Musa Hilal accordingly;

(d) Call upon the Government of the Sudan to restrict the travel of designated Sudanese nationals from the Sudan to other countries;

(e) Consider the designation of the entity known as the Savana armed group, responsible for the attack against the UNAMID team site in Muhajeria on 18/19 April 2013;

(f) Request that the Government of the Sudan enhance its cooperation and sharing of information with the Panel and issue multi-entry visas to all experts valid for the mandate period.

Annex I - Illustrative armed group affiliations

It is often very difficult to accurately identify the affiliation or membership of 'individual groups' responsible for the use of force during incidents within Darfur. Groups will operate under the 'banner' of different organizations dependent on the activity being pursued at that time.

The situation is made more complicated by the 'loose' use of terminology. For example 'militia' is used to refer to GoS uniformed groups, GoS non-uniformed groups and uniformed tribal groups and non-uniformed tribal groups.

In its report the Panel will use the following terms and definitions to ensure that the terminology used is accurate, in line with international best practice.

a. ***Auxiliary Forces***. A legitimate uniformed military or police force established to back up or reinforce regular forces already engaged on operations or to undertake operational support functions which regular forces cannot or do not wish to undertake, such as scouting, handling supplies, or policing rear areas. (Based on US Military Dictionary).

NOTE: In the case of Sudan this includes the Central Reserve Police (CRP) and the Border Guards (BG).

b. ***Militia***. A legitimate uniformed military force that is raised from the civil population to supplement a regular army in an emergency. They would normally be uniformed. (Based on Oxford English Dictionary).

NOTE: In the case of Sudan this is the Popular Defence Force (PDF).

c. ***Janjaweed***. A 'quasi-legitimate' non-uniformed armed group supplied and armed by the GoS, and acting in direct military support of the Government of Sudan in the territory of Darfur. (Panel Definition).

NOTE 1: The Janjaweed are in some instances *de facto* agents of the GoS and therefore when acting illegally they compromise the international responsibility of the GoS.

NOTE 2: An argument could be made that the *Janjaweed* are also by definition a Militia, but because of their quasi-legitimate position, and the fact they are usually non-uniformed, they are not classified as such in this report.

NOTE 3: The term does not indicate, or propose, membership of any particular tribal or ethnic group.

NOTE 4: This group is sometimes, inaccurately, referred to as 'Arab Tribes' or 'Arab Militias'.

d. ***Tribal Armed Groups (TAG).*** An illegitimate non-uniformed armed group operating in support of perceived tribal interests. (Panel Definition).

e. ***Armed Opposition Groups (AOG)***. An illegitimate non-uniformed armed group fighting against a government. (Based on Oxford English Dictionary).

The matrix below is designed to illustrate the complexity of these group dynamics and assist in the understanding of the range of affiliations used within Darfur. The primary organization to which a group belongs to is in the left hand column, whereas the horizontal axis contains all the options for the organization to which the group may claim affiliation, dependent on the activity in which it is engaged at that time. The matrix illustrates the dynamic

affiliations in the context of the use of force or armed violence as part of the conflict.[1] The Panel recognizes also that individuals from any group may conduct criminal activities such as, for example, murder, rape or theft during the normal course of human dynamics and personal relationships.

The colour coding of intersection squares is used to illustrate the 'legitimacy' of a group's engagement under Sudanese national legislation. Green for legitimate (L), Orange for 'quasi-legitimate' (QL) as the group is officially government supported and Red for illegal (IL). It is not a Panel judgment as to whether the use of force in any particular situation under that claimed affiliation is legal under international humanitarian law or even whether appropriate or justified. The matrix is only designed to be read from Left to Right and NOT vertically.

Unidentified groups would fall within one of the coloured boxes in the matrix once more information is received as to their identity and rationale for action.

[1] The Panel recognizes that there are complex direct links between the conflict and the level of criminal armed violence, mainly caused by the reality and perceptions of human insecurity and the need to obtain resources for survival.

CONFLICT RELATED USE OF FORCE												
GROUPS / ORGANIZATIONS[2]				OPERATING AS								
			GoS (SAF)	GoS (SAirF)	GoS	GoS (CRP)	GoS (BG)	GOS PDF)	Janjaweed	AOG	TAG	CA
GoS Security Forces	Regulars	Sudan Army (SAF)	L A									
		Sudan Air Force (SAirF)		L								
		Sudan Police Force			L							
	Auxiliary	Central Reserve Police (CRP)				L					IL B	IL
		Border Guards (BG)					L				IL	IL
	Militia	Popular Defence Forces (PDF)						L			IL	IL
Janjaweed		Janjaweed							QLC		IL	IL D
Armed Opposition Groups		AOG								IL		IL
TAG		Tribal Armed Groups									IL	IL
CA		Criminal Activities[3]										IL

Some examples from the matrix above would be:

A. The Sudanese Armed Forces operating within their political constraints and maintaining a legitimate right to the use of controlled and appropriate force under appropriate circumstances.

B. A group from the CRP operating illegitimately as a Tribal Armed Group, whilst using the equipment and weapons provided by the GoS.

C. The Janjaweed acting in direct support of GoS operations.

D. The Janjaweed acting illegitimately to gain resources due to lack of government funding.

[2] The Groups/Organizations columns illustrate the terminology that is used interchangeably to attempt to describe armed groups. Most are accurate but the ones in red should be treated with great caution as they are not strictly accurate.

[3] This is when a Group operates illegitimately to gain necessary resources for the group due to lack of government support or local shortages.

Annex II - Summary of reported attacks initiated by GoS forces (01 January 2013 – 17 January 2014)[4,5]

Date	*Location (Town)*	*Sector*	*Armed Faction or Civilians*										*Casualties*	
			JEM	*LJM*	*SLA-AW*	*SLM-MM*	*SPLA*	*SPLM-N*	*SRF*	IDP	*Civilian*[6]	NK[7]	*Fatal*	*Injured*
04 Jan	Kushina										X			
05 Feb	Golo	Central			X								NK	NK
11 Feb	Kass	South									X		2	0
21 Mar	Kassab	North								X			1	0
16 Apr	Labado / Muhareija	East				X							73	NK
15 May	Shangil Tobaya	North				X								
09 Jun	Nertit North IDP Camp	Central								X			2	14
10 Jun	Nertit North IDP Camp	Central								X			0	10
10 Jun	Nertit	Central			X								0	0
04 Jul	Nyala	South										X	1	0
07 Jul	Nyala	South									X		1	3
05 Aug	El Fasher	North										X	1	0
08 Aug	Marshang	South										X	1	0
06 Sep	Nyala	South									X		1	0
19 Sep	Nyala	South									X		3	5
13 Oct	El Geneinia	West										X	2	
17 Oct	Ameriya Wasat	North										X	1	
17 Oct	Saraf Umra	North										X	1	1
04 Nov	Nemra	North				X							1	0

[4] This list is based on a range of source information including media.
[5] The dashed lines on this, and all subsequent, tables indicate the commencement of the mandate period or end of reporting quarters.
[6] It has not been possible for the Panel to determine whether these attacks were deliberate, or whether the civilian casualties were 'collateral damage'.
[7] Not Known.

Date	Location (Town)	Sector	Armed Faction or Civilians										Casualties	
			JEM	LJM	SLA-AW	SLM-MM	SPLA	SPLM-N	SRF	IDP	Civilian[6]	NK[7]	Fatal	Injured
07 Nov	Joghaina / Dougi	Central									X		1	8
15 Nov	Zam Zam	North									X		0	1
20 Nov	Manawashi	South										X		
20 Nov	Atash, Nyala	South									X			
2014														
07 Jan	Fogadiko	Central										X	20	8

Annex III - Summary of reported armed opposition group (AOG) initiated armed attacks (17 February 13 – 17 January 14)[8]

Date	*Location (Town)*	*Sector*	*Armed Faction (AOG)*							*Armed Faction and NGO*			*GoS Casualties*	
			JEM	*LJM*	*SLA-AW*	*SLA-MM*	*SPLA*	*SPLM-N*	*SRF*	*GoS*	*NGO*	*NK*	*Fatal*	*Injured*
02 Jan	Guldo	Central			P					X			0	0
04 Jan	Adilla	East				P?[9]						X	0	0
07 Jan	Guldo	Central			P					X			4	7
10 Jan	Bowera	South								X		P	0	3
13 Jan	Abu Ajara	South		P						X			6	3
21 Jan	Fata Burno	North								X		P	2	3
21 Jan	Kabkabiya	North								X		P	0	3
27 Jan	Leskeny	North										PX	0	12
29 Jan	Kondobe	West								X		P	0	0
04 Feb	Nyala	South								X		P	0	0
05 Feb	Um Kadalal	North								X		P	4	0
05 Feb	Zam Zam	North								X		P	2	0
11 Feb	Al Salam	South								X		P	2	0
12 Feb	Kass	South								X		P	2	2
23 Feb	Wazazin	East		P						X			0	2
02 Mar	Gardod	South										X	0	1
06 Mar	Abga Rajil	South				P					X		0	0
06 Mar	Bawaba Al Hawaa	North	P							X			1	2
08 Mar	Joghana	South				P				X			2	0
14 Mar	Beleil	South				X				X			NK	NK
15 Mar	Shaeria	South								X		X	NK	NK
15 Mar	Kulkul	East								X		P	5	4
20 Mar	Burun	South								X		P	1	0

[8] This list is based on a range of source information including media.
[9] The use of a '?' means that it is strongly suspected that this group was the perpetrator.

Date	Location (Town)	Sector	Armed Faction (AOG)							Armed Faction and NGO			GoS Casualties	
			JEM	LJM	SLA-AW	SLA-MM	SPLA	SPLM-N	SRF	GoS	NGO	NK	Fatal	Injured
20 Mar	Bendisi	Central								X		P	1	0
06 Apr	Labado / Muhajeira	East				P				X			2	3
07 Apr	Dobo	North	P		P					X			0	0
07 Apr	Isima	South				P							0	0
08 Apr	Tawilla	North								X			1	0
16 Apr	Shaeria	East				X				X			0	0
18 Apr	Darma	West	X									Inter-JEM	2	9
19 Apr	Shegeg Karo	North	X										3	0
19 Apr	Shataya	South			P					X			5	2
19 Apr	Menawaishi	South								X			1	4
22 Apr	Nyala	South				P				X			0	0
03 May	Joghana	South				P				X			6	0
04 May	Um Assal Shamar	North				P						X	2	0
04 May	Thur									X			7	0
10 May	Garsila IDP Camp	West										X	1	0
12 May	Bamina	Chad	P										24	0
15 May	Khor Makta	East				P						X	0	7
16 May	Labado (Water Point)	East										X	1	2
18 May	Al-Kuma	North	P									X	0	0
19 May	Dereige IDP Camp	South										X	0	0
19 May	Kalimando	North	P			P						X	3	1
21 May	Dar Al Salam	West								X		P	1	0
27 May	Um Zeafa	South								X		P	5	2

Date	Location (Town)	Sector	Armed Faction (AOG)							Armed Faction and NGO			GoS Casualties	
			JEM	LJM	SLA-AW	SLA-MM	SPLA	SPLM-N	SRF	GoS	NGO	NK	Fatal	Injured
31 May	Um Baru	North	P							X			0	0
03 Jun	Tor Taan	South			P	P				X			46	NK
24 Jun	Wadi Gemiss	South								X		P	2	0
25 Jun	Jonjona	North				P				X			10	0
26 Jun	Arbabuyut	North								X		P	2	0
29 Jun	Shamot	North								X		P	0	1
02 Jul	Kabkabiya	North								X		P	1	0
03 Jul	Um Goniya	East				X						X	0	2
03 Jul	Sogolgala	West								X		X	1	0
03 Jul	Nyala	South								X		P	1	0
05 Jul	Jumjum	West										PX	0	9
06 Jul	Nyala	South								X	X	P	2	3
07 Jul	Nyala	South										PX	1	2
08 Jul	Kuma	North								X		P	0	0
11 Jul	Wadi Salih	Central								X		P	2	0
25 Jul	Shurung	South				X				X				
26 Jul	Omou	North			P							X		
03 Aug	Kutum	North								X		P	0	2
06 Aug	Bombay Sigili	North								X		P	0	0
18 Aug	Konjora	North				X					X		0	0
19 Aug	Kass	South			P					X			3	2
26 Aug	Hila Beeda	Central									X	P	0	0
31 Aug	Tawilla	North									X	P	0	0
01 Sep	Nyala	North									X	P	0	0
02 Sep	Tawilla	North									X	P	0	2

Date	Location (Town)	Sector	Armed Faction (AOG)							Armed Faction and NGO			GoS Casualties	
			JEM	LJM	SLA-AW	SLA-MM	SPLA	SPLM-N	SRF	GoS	NGO	NK	Fatal	Injured
05 Sep	Nyala	South								X		P	1	0
08 Sep	Kinyenyili	South								X		P	7	2
10 Sep	Um Hashaba	North			P[10]					X			26	NK
16 Sep	Al Sheref	South								X		P	0	1
21 Sep	Gemeiza Nabagala	West								X		P	1	0
23 Sep	Sania	West								X		P	2	3
23 Sep	El Daein	East									X	P	0	0
24 Sep	El Fasher	North								X		P	4	11
25 Sep	Shanji	South								X		P	3	0
26 Sep	Adilla	East								X		P	0	0
27 Sep	Umgoonja	South				P				X				
28 Sep	Nyala	South									X	P	0	0
28 Sep	Bambuni	North			P					X			9	NK
01 Oct	Kabkabiya	North								X		P	1	2
04 Oct	Adilla	East								X		P	0	0
05 Oct	Donmi Shatta	North							P	X			3	1
06 Oct	Malha	North								X		P	0	0
07 Oct	Habilla	East								X		P	0	1
13 Oct	Um Sa'ouna	West			P[11]					X			19	NK
22 Oct	Menawashei	South								X		P	1	3
23 Oct	Sakali	South								X	X	P	1	2
25 Oct	Mellit	North			P					X			3	4
27 Oct	Amar Gadeed	South		P						X			1	4

[10] SLA/AK (Ali Karbino) ex SLA/AW.
[11] SLA/AK (Ali Karbino) ex SLA/AW.

Date	Location (Town)	Sector	Armed Faction (AOG)							Armed Faction and NGO			GoS Casualties	
			JEM	LJM	SLA-AW	SLA-MM	SPLA	SPLM-N	SRF	GoS	NGO	NK	Fatal	Injured
28 Oct	Gambit	Central								X		P	0	0
31 Oct	Mershing	South		P						X			3	2
01 Nov	Dereige	South								X		P	1	0
03 Nov	Tabit	Central				P				X			187	tbc
07 Nov	Zalingie	Central									X	P	0	0
11 Nov	Khor Abeche	South									X	P	0	0
15 Nov	Siwar	East				P				X			1	1
17 Nov	Kutum	North								X		P	tbc	
19 Nov	Kutum	South									X	P	0	0
23 Nov	Menawashi	South		X						X			5	5
24 Nov	Kazanjadeed	East			P?							X	0	0
05 Dec	Sulu	Central								X		P	1	0
13 Dec	Abata	Central			P					X			10	18
20 Dec	Duma	Central			P					X			2	tbc
24 Dec	Katayla	South				P				X			6	6
2014														
01 Jan	Beesa	North			P					X			23	tbc
03 Jan	Abdel Shakur	North								X		P	0	0
03 Jan	Wadi Eweiji	North			P					X			41	tbc
04 Jan	Nertiti	Central								X		P	0	1
08 Jan	Khor Ramla	Central			P					X			1	tbc
09 Jan	Nieaga	South			P[12]							X	9	9
10 Jan	El Salaam	South				P				X			7	3
13 Jan	Al Sunta	South								X		P	7	1

[12] SLA/AK.

Annex IV - Summary of reported weapons and vehicles captured by AOG (01 January 2013 – 17 January 2014)[13]

Date	*By*	*From*	*Location*	*Arms type*									*Vehs TLC[14]*
				7.62mm AK Type	*12.7mm DShK*	*82mm Mortar M82*	*120mm Mortar*	*SPG-9 73mm RR*	*B-10 82mm RR[15]*	*RPG-7*	*9M133 Kornet[16] ATGM[17]*	*TBC*	
13 Jan	tbc	SAF	Abu Ajara										2
21 Jan	LJM	SAF	Fata Burno										1
29 Jan	tbc	SAF	Kondobe										1
04 Feb	tbc	SAF	Nyala	1									1
05 Feb	tbc	SAF	Um Kadalal										2
05 Feb	tbc	SAF	Zam Zam										1
20 Mar	tbc	SAF	Bendisi									X	
07 Apr	SLA/MM	SAF / Militia	Labado[18]	43	4	1	0	0	6	10	0		2
07 Apr	SLA/MM	SAF	Muhajeria[19]	200	10	2	10	0	3	0	30		2
14 Apr	SLA/MM	SAF	Guraidai / Dongul Drissa[20]	0	8	0	0	2	4	4	10		2
01 Jun	SLA/MM	SAF	Tor Taan									X	24
02 Jul	tbc	SAF	Kabkaniya	1									
11 Jul	tbc	Gos	Wadi Salih										1
14 Jul	tbc	GoS	El Daien										1

[13] This list is primarily based on open source information and should therefore be viewed with some caution.
[14] Toyota Land Cruiser or equivalent 'Technical' Type.
[15] Recoilless Rifle – primarily an anti-tank weapon.
[16] Also known as AT-14 Spriggan.
[17] Anti-Tank Guided Missile.
[18] SLA-MM report 30 x SAF / Militia KIA and 1 x Hostage.
[19] SLA-MM report 70 x SAF KIA and 30 x Hostages.
[20] SLA-MM report 43 x SAF KIA.

Date	By	From	Location	Arms type									Vehs TLC[14]
				7.62mm AK Type	12.7mm DShK	82mm Mortar M82	120mm Mortar	SPG-9 73mm RR	B-10 82mm RR[15]	RPG-7	9M133 Kornet[16] ATGM[17]	TBC	
24 Jul	tbc	Police	Al Majliss										1
05 Aug	tbc	Police	Al Salam									X	1
27 Aug	tbc	Police	Saraf Umra									X	1
08 Sep	tbc	SAF	Kinyenyili										1
10 Sep	SLA/AK	SAF	Um Hashaba										8
21 Sep	tbc	SAF	Gemeiza Nabagala									X	
23 Sep	tbc	SAF	Sania										1
28 Sep	tbc	SAF	Nyala									X	
28 Sep	tbc	SAF	Bambuni									X	
01 Oct	tbc	SAF	Kabkabiya										1
04 Oct	tbc	SAF	Adilla										1
05 Oct	SRF	SAF	Donmi Shatta										1
06 Oct	tbc	SAF	Malhala										14
07 Oct	tbc	NISS	Habilla										1
13 Oct	SLA/AK	SAF	Um Saouna									X	13
22 Oct	tbc	SAF	Menawashei									X	1
25 Oct	SLA/AW	SAF	Mellit									X	1
27 Oct	tbc	SAF	Gambit										1
31 Oct	LJM	SAF	Mershing									X	4
03 Nov	SLA/MM	SAF	Tabit		18							X	18
13 Dec	SLA/AW	SAF	Abata										2

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Date	By	From	Location	Arms type									Vehs TLC[14]
				7.62mm AK Type	12.7mm DShK	82mm Mortar M82	120mm Mortar	SPG-9 73mm RR	B-10 82mm RR[15]	RPG-7	9M133 Kornet[16] ATGM[17]	TBC	
01 Jan	SLA/AW	SAF	Beesa	3			1		1			X	3
03 Jan	SLA/AW	SAF	Wadi Eweiji		11	1				126			11
14 Jan	tbc	SAF	Al Sunta										6
			Totals	**246**	**34**	**4**	**11**	**2**	**14**	**140**	**40**	**7 >**	**124>**

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Annex V - IADM Type 1 Technical Analysis (ABRIDGED[21])

28 September 2013

ANALYSIS OF IMPROVISED AIR DELIVERED MUNITION TYPE 1 (IADM 1)

1. Summary

Date:	15 Feb 2009 13 Jun 2011 04 Aug 2011	**Time (Local):**	TBC
Location:	TBC Zariba GirgirA	**GPS:**	NK N 14° 11' 43.0", E 24° 41' 00.1" N 14° 37' 36.6", E 22° 34' 41.3"
Summary:	1. A new type of improvised air delivered munition, designated by the Panel as the IADM Type 1, has been identified as been used in Darfur. This munition is, in effect, an unguided high explosive aerial bomb that is *highly likely* to have been manufactured in a national industrial facility. 2. Technical analysis by photogrammetry has identified that the IADM Type 1 external dimensions are approximately 0.438m in length and 0.233m in diameter with an explosive filling of approximately 23.8 kg. Dimensions were obtained from imagery, and due to the effects of parallax an accuracy of +/-10% applies. (See paragraph 6d though for alternative dimensions). 3. They are *certainly* fuzed with the AM-A type impact fuze, and it is *probable* that the AM-A fuzes used were supplied by a Member State during 2009 – 2011. A Member State *certainly* supplied 10,000 AM-A fuzes to Sudan. The fuze only contains one safety mechanism, which means that unexploded devices (UXO) are *highly probable* to have very sensitive fuzes. 4. The requirement for a high angle of descent to maximise reliability, combined with the delivery method of rolling out of aircraft doors or ramps, means that it is *highly probable* that the CEP radius of the weapons system will be high. It would be difficult to hit specific point targets with any degree of accuracy, thus the system must be assessed as indiscriminate. 5. The use of IADM Type 1 in Darfur is *almost certainly* a breach of sanctions by Sudan as the AM-A fuzes were *certainly* transferred from Khartoum into Darfur. 6. The Panel has seen no evidence of any industrial facility in Darfur capable of both manufacturing such munition casings and then safely casting TNT explosive into them to produce a finished product. Therefore the use of IADM Type 1 in Darfur is *highly probable* to be also a breach of sanctions by Sudan as no prior consent has been granted by the Sanctions Committee for Sudan to transfer such a munition into Darfur.		

[21] This, and the subsequent, Technical Annex Analyses have been ABRIDGED to ensure the confidentiality of sources. The photographic appendices have been deliberately omitted for reasons of space; they are referenced in the Evidence Imagery paragraphs. Some grammatical and stylistic changes have been made from the original Panel Case File Summaries to reflect the content and style of the main body of the report.

Sanctions Violation Reference(s):	1. Paragraphs 7 and 8, UN SCR[22] 1556 (2004).[23] 2. Paragraph 7, UN SCR 1591 (2005).[24] 3. Possibly Violations of Art. 3 common to GC I-IV 1949, AP II 1977 and relevant rules of customary International Humanitarian Law.[25]
Evidence:	1. Imagery. 2. Interview. 3. Technical analysis. 4. Export documentation.

2. Probability assessment

The matrix below explains qualitative statement terminology against an associated probability or uncertainty percentage. This is a common methodology for the technical analysis or assessment of military weapons, ammunition and explosives.

Qualitative Statement	Associated Probability
Remote or Highly Unlikely	<10%
Improbable or Unlikely	11% - 25%
Realistic Possibility	25% - 54%
Probable or Likely	55% - 74%
Highly Probable or Highly Likely	75% - 89%
Almost Certain(ly)	90% - 98%
Certain(ly)	>99%

3. Evidence (Imagery)

Imagery taken by the Panel has sometimes been processed through specialist software in order to enhance resolution and to enable the Panel to see fine detail. These are referenced with the original number automatically allocated by the camera followed by '*zoom1, zoom2 etc*' All original photographic data is available to the Committee for transparency and verification.

[22] Security Council resolution.
[23] ABRIDGED as unnecessary reference in this extract.
[24] ABRIDGED as unnecessary reference in this extract.
[25] Notably the prohibition of direct attacks against civilians, the prohibition of indiscriminate attacks, and the obligation to take all reasonable precautions in planning and executing military operations so as to avoid as far as possible civilian casualties.

Reference Image Code[26]	Camera Type / Lens	Subject	Remarks
090215	Confidential Source Camera	IADM Type 1	•
090215A	Confidential Source Camera	IADM Type 1	•
IADM 1	Confidential Source Camera	IADM Type 1	•
IADM 2	Confidential Source Camera	IADM Type 1	•

4. Evidence (Documents)

Document Reference	Date	Originator	Title	Subject
ABRIDGED	27 Apr 11	ABRIDGED	Untitled	• Annex 1 confirms supply of 10,000 aviation fuzes.
ABRIDGED	15 Aug 13	ABRIDGED	Information from aMember Stateprepared in accordance with request.	• Confirmation of type of aviation fuze as AM-A
Army TM9-1985-7	12 Oct 1954	USA	USSR Bombs and Fuzes (Public Document)	• Page 6 and 7. Details of AM-A Fuze. See Annex B.

5. Evidence (Interviews)

Date	Location	Individual(s)	Summary	Remarks
27 May 13 10 Jun 13	El Fasher	Confidential source.	RSP on UXO	• NIL

6. Technical analysis

The improvised munitions shown in the imagery have all of the physical characteristics of an unguided aerial bomb. They have a cylindrical front end, parallel main body sides with a tapered tail unit. Four evenly spaced fins are welded to that tapered tail unit. The nose consists of a slight dome welded to the main body, and the low convex shape of the nose means that where it is welded to the main body it has a secondary effect of providing an anti-ricochet collar. There is no technical evidence of any fitments for the use of a retarding parachute.

The munition has an unsophisticated high drag shape similar to pre-1960 designed aircraft bombs. The fin and drum stabilising arrangement is of an old-fashioned design.

[26] Original camera code imagery held by confidential source.

The lack of any suspension lugs makes it *highly unlikely* that the munition can be dropped from external weapon hard points. It is *highly probable* that it is dropped or launched by rolling out of the open door or tail ramp of a subsonic aircraft. The release parameters for such a munition are *likely* to be at an air speed of between 250km/hour and 900km/hour at an altitude of between 1,000m to 12,000m above ground level. Accuracy would *certainly* degrade as the altitude and air speed increased.

It is therefore *improbable* that this type of IADM be dropped from the SAirF Su-25 aircraft; it is *more probable* that they are dropped from the Antonov An-26 or An-32 transport in the SAirF fleet.

No markings or designators were visible from the imagery.

a. **Fuze type**. From the imagery it is *almost certain* that the munition is fitted with an AM-A Type Fuze. Due to fact that the munition is unexploded ordnance in this case the arming wind vane of the fuze is not present and is *highly likely* to have broken off on impact with the ground.

The AM-A fuze is of simple design and construction and only contains one safety device consisting of an inverted paper-thin steel flange resting on a bakelite cylinder. On impact the air pressure above the steel flange inverts it thereby pushing the firing pin into the mercury fulminate detonator. Over time the mercury fulminate will deteriorate making it more insensitive, and hence more failures would be then expected.[27]

The lack of a graze function in the design of the AM-A fuze, combined with the flat front design of the IADM, means that high rates of unexploded devices *are likely* if they are delivered at too low an angle of descent.

b. **Fuze supply**. A Member State has confirmed the supply of 10,000 x AM-A Type Fuze to Sudan between 2009 to 2011.[28] These fuze types are more normally used on AO-1Sch sub-munitions, such as those contained within the RBK Type Cluster Bomb Units (CBU). However, it is *unlikely* that the supplied AM-A fuzes have been retrofitted onto sub-munitions as:

i) The SAirF RBK 500 Cluster Bombs[29] contain AO-2.5RT type bomblets, which use a different fuze;

ii) The AO-1Sch bomblet is used with the RBK-250 or 275 Cluster Bomb Units (CBU). There is no evidence that the SAirF possess such CBU types; and

iii) Sudan is a non-signatory to the Cluster Munition Convention[30] (CMC)and has recently denied either possessing or using cluster munitions. In April 2012, a representative of Sudan's Permanent Mission to the UN in Geneva stated, '*Sudan is not a producing country and does not own stockpilings, [sic] and did not use it before, neither in the far past, nor the near one. So any accusations to [sic] my country in this field are groundless...*'.[31] If this is an aspiration then retrofitting would seem to be a waste of resources.

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[27] This does not mean that it fails safe. The fuze would still be potentially very dangerous.

[28] ABRIDGED.

[29] Panel Case File Summaries contain information on SAirF possession of RBK 500 Cluster Bombs.

[30] The Convention on Cluster Munitions, 30 May 2008. (Entered into Force on 01 August 2010). As at 1 June 2013 there were 83 States' Parties and a further 29 Signatories.

[31] Statement of Sudan, Convention on Cluster Munitions Inter-sessional Meeting, Session on General Status and Operation of the Convention, Geneva, 19 April 2012, http://www.clusterconvention.org/files/2012/04/Sudan_Wrap-up.pdf. Visited on 9 June 2013.

It is therefore *highly probable* that all of the 10,000 AM-A aviation fuzes procured by Sudan are for use in the Type 1 IADM, or similar improvised munition.

c. **Dimensions**. Using photogrammetry[32] based on the known AM-A fuze dimensions the approximate dimensions of the interior space of the main IADM 1A body have been estimated as *likely* to be Length = 0.418m and Diameter = 0.213m.[33] This equates to an approximate internal volume of $0.0149m^3$ at an accuracy level of +/- 10%. Confirmatory photogrammetry based on images showing weapons being loaded onto an Antonov-26 suggests that the approximate dimensions of the interior space of the main IADM 1 body are actually *highly likely* to be Length = 0.470m and Diameter = 0.222m. This equates to an approximate internal volume of $0.0145m^3$ at an accuracy level of +/- 10%. (See Annex C for methodology). As these dimensions were measured from 2D imagery there will be some parallax effects and therefore the error margin must be estimated as +/- 10%. This Case File can be updated once more accurate dimensions are physically obtained from a recovered device.

d. **Dimensions (alternative)**. It is *probable* that commercially available steel pipe/tubing was used to manufacture the main body of the munition. Such pipe/tubing is supplied in standard sizes as laid down by national or international standards.[34] It is *unlikely* that the manufacturer would use non-standard pipe/tubing. The nearest standard commercial size to that obtained through photogrammetry is Nominal Pipe Size 8 at Schedule 60 thickness. This equates to an Outside Diameter (OD) of 219.08mm with wall thickness of 10.312mm. As shown below this is within 6.3% and -3.0% respectively of the dimensions obtained through photogrammetry, and within the 10% error margin.

Device	Nominal Pipe Size (NPS) (US)	Diameter Normal (EU) (DN)	Diameter (mm)	Thickness (mm) SCH60	Diameter			Thickness		
					Estimated (mm)	Variance (mm)	Variance (%)	Estimated (mm)	Variance (mm)	Variance (%)
IADM 1	8	200	219.08	10.312	232.38	13.75	6.3	10	-0.31	-3.0

e. **Explosive content (TNT equivalent)**. Using the density equation for TNT (d = 1,600 kg/m^3, thus the explosive content for the IADM Type 1A based on photogrammetry analysis is *likely* to be 23.8kg at an accuracy level of +/- 10%. The explosive content for an IADM 1 manufactured from commercial steel tubing on NPS 8 would *likely* to be 19.5kg at an accuracy level of +\- 10%.

f. **Explosive effect (Equivalence)**. Based on the worst-case photogrammetry dimensions this IADM type has an effectiveness of approximately 54.7% of an OFAB-100 aircraft bomb.[35]

g. **Circular Error Probability (CEP).**The CEP is a measure of a weapon system's precision or accuracy. It is defined as the radius of a circle, centred about the mean, whose boundary is expected to include the landing points of 50% of the warheads. The delivery technique and design of the IADM 1 means that Circular Error Probability (CEP)[36] radius would be higher than for a more modern designed aircraft bomb, and hence accuracy will be poor.

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[32] Photogrammetry is the practice of determining the geometric properties of objects from photographic images.

[33] Paragraph 115 to Panel Report S/2008/647 dated 11 November 2008 identified a larger type of IADM made from circular steel pipe of dimensions 500mm Length x 250mm Diameter and 15mm Width. The photos in the report though show a different design to that under analysis in this case study. Notwithstanding this though, the estimated dimensions from imagery in this analysis are of the same order of magnitude as previous reports of IADM.

[34] For example American Standards Association Nominal Pipe Size (NPS) in USA. The EU equivalent standard EN 10255 only covers up to NPS 6 @ ND of 150mm and OD of 168mm.

[35] NEC of OFAB-100 = 43.5kg (TNT Equivalent).

[36] Circular Error Probability is a measure of a weapon system's precision or accuracy. It is defined as the radius of a circle, centred about the mean, whose boundary is expected to include the landing points of 50% of the warheads.

h. **Design feature**. The IADM Type 1 did not have any suspension lugs allowing it to be dropped from the external weapon hard points of an aircraft. This would restrict the delivery method to rolling the device out of the side door or rear ramp of a transport aircraft.

i. **Explosion effects**

i) **Blast effects**

Scenario	NEQ (kg)	Blast Injury Distances[37] (m)		
		Ear Drum Rupture	Lung Damage	Fatalities
		34.5kPa Threshold[38]	207kPa Threshold	690kPa Threshold
Detonation of single IADM 1	23.8	21.9	8.8	5.6

ii) **Fragmentation effects**

Primary fragments will be significant from the device or container of the device, which have been shattered by the brisance effect and are propelled at high velocity over great distances. Primary fragments can travel ahead of the blast wave and have the potential to cause injuries at a greater range than the blast wave. From the 'Gurney Cylindrical Charge Equation'[39] fragments could be expected to have an initial velocity in the region of 2,728m/s.[40]

Secondary fragments will also be a hazard. These are caused by the blast wave imparting pressure onto friable materials that are unable to withstand this pressure or loose articles. The energy imparted to the fragments created by the blast can be such as to throw them large distances and at great speed. Typical friable materials that form secondary fragments are glass, roof slates, timber, metal frames and the like.

Due to the human body's moderate resistance to the effects of the 'blast wave', secondary fragments are likely to cause injury at greater distance than the blast wave. The formation of secondary fragments can cause fatalities and serious injury.

[37] From Sedman A., 2006, *Plot Showing Estimates of Mans Tolerance to Blast in Terms of TNT Charge Size and Distance*, DstL Porton Down, UK, 2006.

[38] From Kingery and Bulmash, *Airblast Parameters from TNT Spherical Air Burst and Hemispherical Surface Burst*, Technical Report ARBRL-TR-0255, Ballistics Research Laboratory, Aberdeen Proving Ground, Maryland, USA, April 1984. Assuming Peak Reflected Pressure Surface Burst.

[39] Gurney, R. W. (1943), *The Initial Velocities of Fragments from Bombs, Shells, and Grenades, BRL-405*, Ballistic Research Laboratory, Aberdeen, Maryland.

[40] Estimated using tool at www.un.org/disarmament/un-saferguard/gurney/. Accessed 23 Sep 13.

Appendix C to Annex V – Dimension and NEQ Estimation

IADM 1 PHOTOGRAMMETRY

image	IADM1.jpg

Known Dimensions	mm	On Screen	Scale
AM-A Fuze Length (2.5")	63.50	60.00	0.94
AM-A Fuze Width (Body Fit)	31.75	30.00	<<

Estimated Dimensions	mm	On Screen	Scale
Fuze Width (IADM1.jpg)		15.00	
IADM Diameter (IADM1.jpg)	**232.83**	110.00	0.18
IADM Diameter (IADM2.jpg)		85.00	0.37
Body Length (IADM1.jpg)	**438.27**	160.00	

Derived Dimensions	
Estimated External Diameter (m)	0.232833
Estimated External Length (m)	0.438275
Estimated External Radius (m)	0.116417
Estimated External Circumference (m)	0.731562
Estimated External Area (m^2)	0.405791
Estimated Internal Diameter (m)	0.212833
Estimated Internal Length (m)	0.418275
Estimated Internal Radius (m)	0.106417
Estimated Internal Volume (m^3)	0.014883

TNT Density (kg/m^3)	1600.00
TNT Mass (kg)	**23.8**
FAB 100 NEQ (kg)	43.50
IADM 1 Equivalence %	54.74

Case Mass for Gurney Equation	
Metal Volume (m^3)	0.004058
Density Steel (kg/m^3)	7800.00
Body Mass (kg)	31.65

IADM 1 (NPS 8 Steel Pipe)

IADM 1 Diameter	**219.08**
Body Length (IADM1.jpg)	**412.39**

External Diameter (m)	0.219080		
Estimated External Length (m)	0.412390		
Estimated External Radius (m)	0.109540		
External Circumference (m)	0.688349		
Estimated External Area (m^2)	0.359270	Metal Volume (m^3)	0.003593
		Density Steel	7800.00
Estimated Internal Diameter (m)	0.199080	Body Mass (kg)	28.02
Estimated Internal Length (m)	0.392390		
Estimated Internal Radius (m)	0.099540		
Estimated Internal Volume (m^3)	0.012216		
TNT Density (kg/m^3)	1600.00		
TNT Mass (kg)	**19.5**		
FAB 100 NEQ (kg)	56.00		
IADM 1 Equivalence %	34.90		

Annex VI - Crater Analysis Labado Air Strike 07 April 2013

28 September 2013

AIR STRIKE NEAR LABADO (11 APRIL 2013)

1. Summary

Date:	11 April 2013	**Time (Local):**	00:45
Location:	Labado, East Darfur	**GPS:**	1. N12°06'37.2", E25°26'01.9" 2. N12°06'48.4", E25°25'59.9"
Summary:	1. On 11 Apr 13 the Labado TS observed a SAirF aircraft in the area and later heard four (4) explosions. Further explosions were also heard on 13 Apr 13. 2. At 10:00 hours on 14 Apr 13 a local civilian reported that an aircraft had dropped two explosive devices in the near vicinity of his children who were tending animals. The children were uninjured, but five (5) sheep were killed and fifteen (15) sheep injured. 3. The Points of Impact (POI) of two of the explosions were located by a patrol on 14 Apr 13 at approximately 10:20 hours. The patrol photographed the scene and recovered fragmentation from the devices. 4. The Arms and Aviation Experts of the Panel visited the scenes at approximately 11:30 on 16 May 13 to record further technical data on the craters. The craters were measured as approximately 2.4m x 0.6m with a margin of error of 5%. 5. Explosive engineering (crater analysis) leads to the conclusion that it is *highly probable* that Type 1 Improvised Air Delivered Munitions were used in this attack. The delivery technique and design of such munitions means that Circular Error Probability (CEP)[41] radius would be higher than for a more modern designed aircraft bomb, and hence accuracy would be poor. 6. The use of IADM Type 1 in Darfur is *almost certainly* a breach of sanctions by Sudan as the AM-A fuzes were *certainly* transferred from Khartoum into Darfur. 7. The Panel has seen no evidence of any industrial facility in Darfur capable of both manufacturing such munition casings and then safely casting TNT explosive into them to produce a finished product. Therefore the use of IADM Type 1 in Darfur is *highly probable* to be also a breach of sanctions by Sudan as no prior consent has been granted by the Sanctions Committee for Sudan to transfer such a munition into Darfur.		

[41] Circular Error Probability is a measure of a weapon system's precision or accuracy. It is defined as the radius of a circle, centred about the mean, whose boundary is expected to include the landing points of 50% of the warheads.

Sanction Violation Reference(s):	1. Paragraphs 7 and 8, UN SCR 1556 (2004).[42] 2. Paragraph 7, UN SCR 1591 (2005).[43] 3. Violations of Art. 3 common to GC I-IV 1949, AP II 1977 and relevant rules of customary International Humanitarian Law.[44]
Evidence:	1. Confidential sources. 4. Panel interview with photographer/eyewitness. 5. Images. 6. Physical evidence on ground (crater). 2.4m x 0.7m. 7. Physical evidence recovered. 8. Crater analysis (explosive engineering). 9. Technical analysis of IADM 1.

2. Probability assessment

The matrix below explains qualitative statement terminology against an associated probability percentage. This is a common methodology for technical analysis or assessment of military weapons, ammunition and explosives.

Qualitative Statement	Associated Probability
Remote or Highly Unlikely	<10%
Improbable or Unlikely	11% - 25%
Realistic Possibility	25% - 54%
Probable or Likely	55% - 74%
Highly Probable or Highly Likely	75% - 89%
Almost Certain(ly)	90% - 98%
Certain(ly)	>99%

3. Evidence (Imagery)

Imagery taken by the panel has sometimes been processed through specialist software in order to enhance resolution and to enable the panel to see fine detail. These are referenced with the original number automatically allocated by the camera followed by '*zoom1, zoom2 etc*' All original photographic data is available to the Committee for transparency and verification.

[42] ABRIDGED as unnecessary reference in this extract.
[43] ABRIDGED as unnecessary reference in this extract.
[44] Notably the prohibition of direct attacks against civilians, the prohibition of indiscriminate attacks, and the obligation to take all feasible precautions in planning and executing military operations so as to avoid as far as possible civilian casualties.

Original Camera Image Code[45]	Camera Type / Lens	Subject	Remarks
P1000080	Panasonic Lumix DMC-TZ30	Crater 1 (16 May 13)	▪
P1000086	Panasonic Lumix DMC-TZ30	Crater 2 (16 May 13)	▪
ABRIDGED	TBC	Crater 1 (14 Apr 13)	▪
ABRIDGED	TBC	Crater 2 (14 Apr 13)	▪
ABRIDGED	TBC	Device Remains (14 Apr 13)	▪ See Evidence (Physical)
ABRIDGED	TBC	Crater 2 (14 Apr 13)	▪
ABRIDGED	TBC	Device remains (14 Apr 13)	▪ See Evidence (Physical)
ABRIDGED	TBC	Device remains (14 Apr 13)	▪ See Evidence (Physical)
DSC_0082	TBC	Device remains (14 Apr 13)	▪ See Evidence (Physical)

4. Evidence (Documents)

Document Reference	Date	Originator	Title	Remarks
63/2013	14 Apr 13	ABRIDGED	ABRIDGED	▪ Para 8 summarizes incident
64/2013	15 Apr 13	ABRIDGED	ABRIDGED	▪ Para 3 summarizes incident
14	14 Apr 13	ABRIDGED	ABRIDGED	▪
	28 Sep 13	Panel	Analysis of IADM 1.	▪

[45] When taken with a Panel camera or known.

5. Evidence (Physical)

Original Camera Image Code	Calibre	Cartridge Case Markings	Manufacturer[46]	Remarks
ABRIDGED	N/A	N/A	N/A	• Crater 1 on 14 Apr 13.
ABRIDGED	N/A	N/A	N/A	• Crater 2 on 14 Apr 13.
P1000080s	N/A	N/A	N/A	• Crater 1 on 16 May 13. • 2.4m x 0.6m.
P1000086s	N/A	N/A	N/A	• Crater 2 on 16 May 13. • 2.4m x 0.6m.
DSC_0082	N/A	N/A	N/A	• Fragmentation recovered from the POI. This consisted of lengths of thin metal plate, probably from the tail fins of a small aircraft bomb. • This was inspected by the Arms Expert and left with unit. There were no visible markings.

6. Evidence (Interviews)

Date	Location	Individual(s)	Summary	Remarks
14 Apr 13	Labado	Confidential Source	ABRIDGED	• ABRIDGED
16 May 13	Labado	Confidential Source	Overview of attack.	•
16 May 13	Labado	Confidential Source	Hand over of original photographic evidence from date of air strike.	• Evidence confiscated by airport security from Arms Expert on 18 Jun 13.

7. Evidence - Crater Analysis

The craters observed by the panel measured 2.4m diameter by 0.6m apparent depth,[47] to an error margin of +/- 10%.The diameter could be measured with good accuracy. The apparent depth immediately after the explosion was more difficult to determine, as it was obvious that wind-blown sand had started to fill up the craters by the time of the Panel's inspection one month later.

[46] A listing in this column the Panel does not equate to any suggestion of a violation of the arms embargo, imposed according to the sanctions regime established on Darfur by the Security Council, by either the manufacturer or government of that particular country.

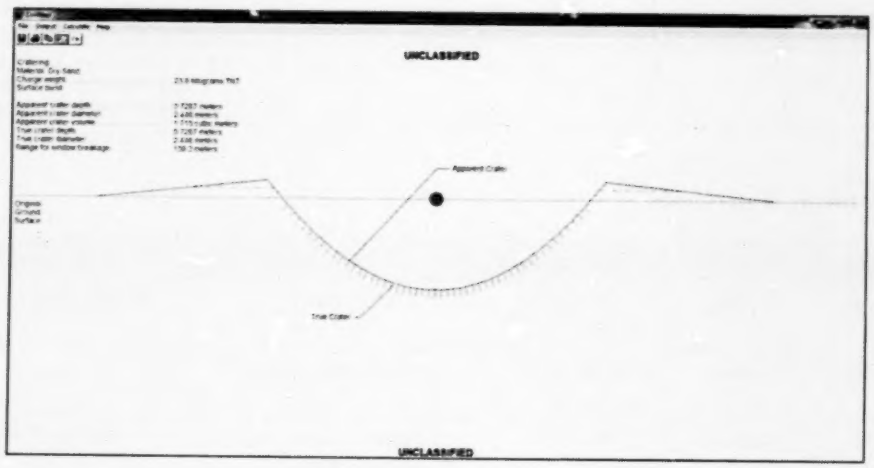
[47] The term 'apparent depth' is the observed depth of the crater. Real depth is usually slightly deeper, but some of the debris ejected from the explosion inevitably falls back into the crater. In the case of dry sand real and apparent crater depths are virtually identical due to the fine particulate nature of the sand.

This observed, measured crater dimension data was used in the Conventional Weapons Effects Programme (CONWEP)[48] to determine thepredicted charge mass of the explosive device necessary to achieve a crater diameter of 2.4m, and thus identify the type of device used. The CONWEP 2001 data output, showing predicted crater profiles, is attached at Annex B.

From CONWEP 2001:

Scenario 1: CONWEP 2001 predicts that a surface laid explosive charge of 22.4kg of TNT on dry sand is required to result in a crater diameter of 2.4m with an apparent crater depth of 0.7143m.

Scenario 2. This scenario estimates the effects of the Type 1 Improvised Air Delivered Munition (IADM) (23.8kg) known to have been previously used in Darfur (Panel Case File refers). A crater diameter of 2.45m with an apparent crater depth of 0.73m is predicted for this type of device detonating on the surface.



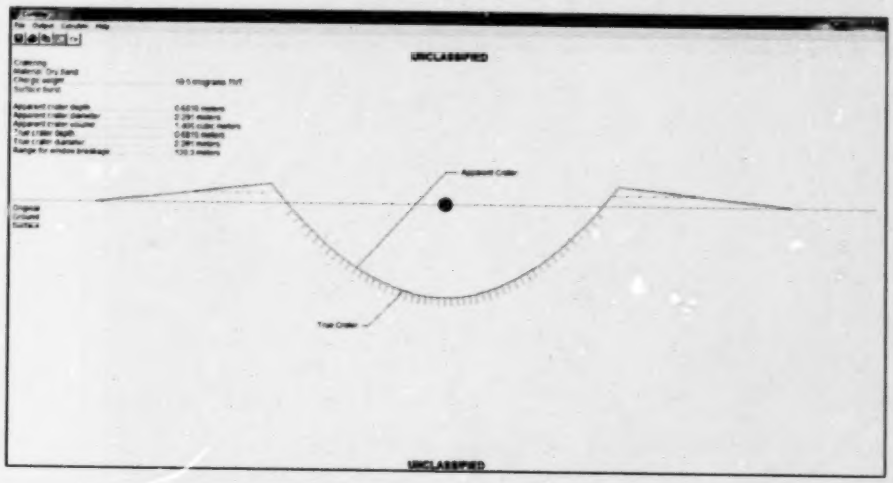
Scenario 2 - CONWEP prediction for IADM (23.7kg) on Surface (=2.45m Crater)

Scenario 3: The next scenario considered the effect of a OFAB-100 General Purpose (GP) Aircraft Bomb as these are also known to be a common weapon of the SAirF. The TNT charge mass of one variant of this system is 43.5kg and CONWEP predicts a crater diameter of 2.99 m with an apparent depth of 0.89m. These crater dimensions fall significantly outside the 5% error margin and therefore it is *improbable* that this particular type of ordnance was used for this attack.

Scenario 4: This is a confirmatory scenario to determine the CONWEP predicted parameters for a Type 1 IADM to achieve an exact crater diameter of 2.4m. CONWEP predicts a point of detonation (PoD) at 0.028m (28mm) above ground level. As the main body length of a Type 1 IADM is 0.44m (438mm) in length the estimated PoD is within the dimensional parameters of the munition for this scenario.

[48] *Conventional Weapons Effects Programme (CONWEP)*. USACE Waterways Experiment Station, USA, (David Hyde), 2001 Version.

Scenario 5: This is a secondary confirmatory scenario. The dimensions used for the IADM 1 in Scenarios 1 to 4 were obtained through photogrammetry. Based on those findings it is *probable* that commercially available steel pipe/tubing was used to manufacture the main body of the munition. Paragraphs 5d and e to Panel Case File ABRIDGED estimate that the net explosive content in such a scenario would be 19.5kg. This would result in a crater diameter of 2.3m, which is well within the 10% error margin.



Scenario 5 - CONWEP prediction for IADM 1 (19.5kg) on Surface (=2.29m Crater)

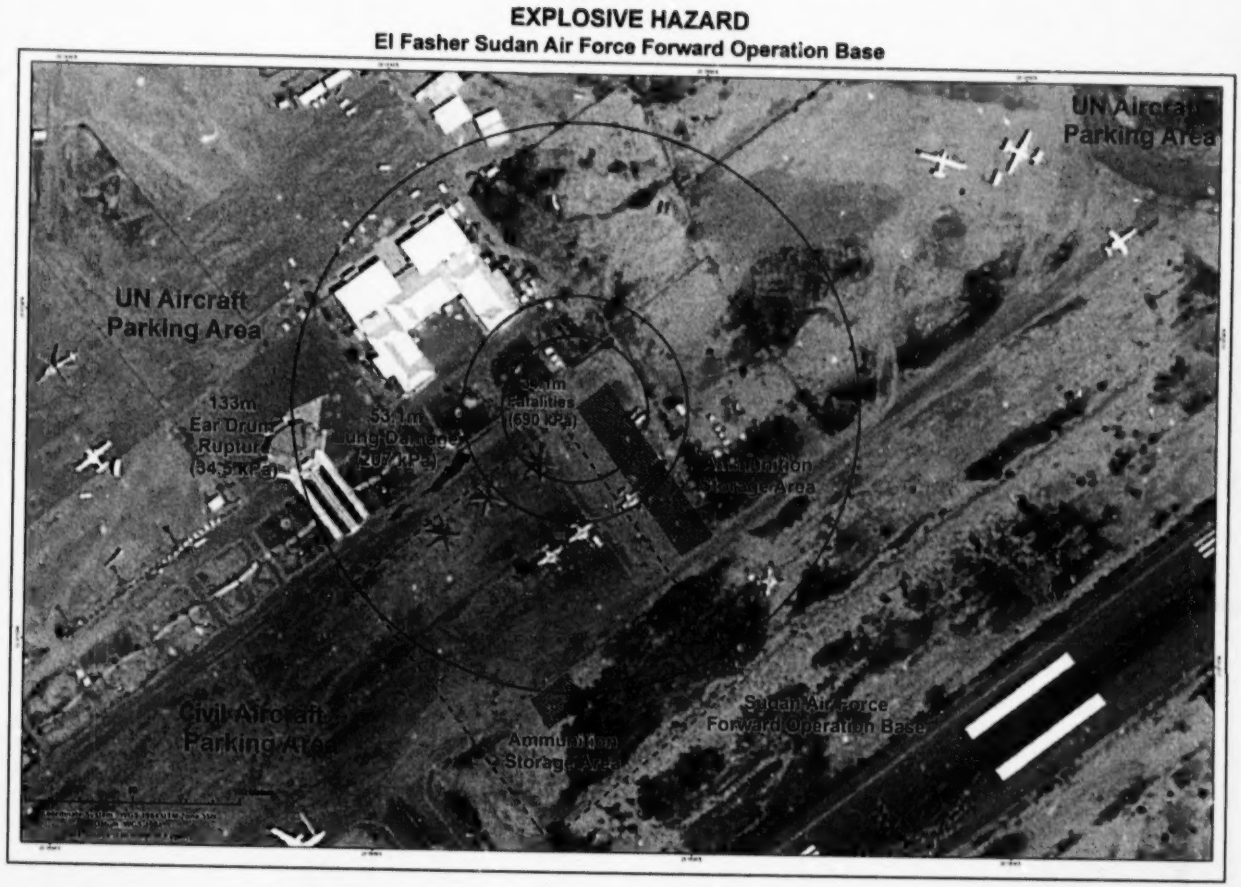
7. Conclusions

The observed, physical and explosive engineering evidence combined determine it is *highly probable*that a Type 1 IADM was the type of munition used in the aerial bombardment of Labado.

The use of IADM Type 1 in Darfur is *almost certainly* a breach of sanctions by Sudan as the AM-A fuzes were *certainly* transferred from Khartoum into Darfur.

The Panel has seen no evidence of any industrial facility in Darfur capable of both manufacturing such munition casings and then safely casting TNT explosive into them to produce a finished product. Therefore the use of IADM Type 1 in Darfur is *highly probable* to be also a breach of sanctions by Sudan as no prior consent has been granted by the Sanctions Committee for Sudan to transfer such a munition into Darfur.

Annex VII – El Fasher FOB Explosion Danger Area[49]


EXPLOSIVE HAZARD
El Fasher Sudan Air Force Forward Operation Base
UN Aircraft Parking Area
UN Aircraft Parking Area
133m Ear Drum Rupture (34.5 kPa)
53.1m Lung Damage (207 kPa)
30m Fatalities (690 kPa)
Civil Aircraft Parking Area
Ammunition Storage Area
Sudan Air Force Forward Operation Base

[49] Source: **WorldView Satellite Imagery (2 October 2012).**

Annex VIII – Attack at Tanagara

12 December 2013

CASE FILE SUMMARY
AIR STRIKE NEAR TANGARARA (29 NOVEMBER 2013)

1. Summary

Date:	29 November 2013	**Time (Local):**	Approximately 17:30
Location:	Near, Tangarara, Shengil Tobaya, East Darfur	**GPS:**	N13^0 09' 81" E25^0 07' 28"
Summary:	1. At approximately 1730 hours two jet aircraft, *almost certainly* Su-25 attack/Close Air Support (CAS) types, attacked a three vehicle civilian convoy between the villages of Tangarara and Aroushu. The civilian convoy was traveiling from Thabit to Shangil Tobaya in a southerly direction. 2. The civilian convoy consisted of three (3) old, WHITE Toyota Hi-Lux 4x4 vehicles. One vehicle (Registration Number 1ND 911) was destroyed in the attack. 3. Eye witnesses stated that the 2 x Su-25 engaged the convoy, from a southerly direction, by making either: 1) three (3) low level 'attack runs', firing S-8DM Rockets (velocity of 590m/s (2,124kph)), and then two (2) low level passes for bomb damage assessment (BDA); or 2) two (2) recce passes followed by three (3) attack runs. One aircraft attacked, whilst the other circled providing 'top cover'. 4. The attack resulted in the deaths of 14 civilians, with the only 2 survivors being taken to El Fasher hospital. 5. Photogrammetry and crater analysis confirms that the craters at the scene are consistent with those to be expected from an S-8DM (80mm) Rocket warhead (2.15kg of fuel air explosive (FAE))[50]. The Patrol, on 01 Dec 13, discovered five (5) craters, which means that at least six rockets were fired in the 'attack run' that resulted in the destruction of the vehicle. 6. The Panel has imagery of the 2 x Su-25 landing at El Fasher airport at approximately the same time. The imagery clearly shows that the Su-25 were loaded with the B-8M1 Rocket Launcher Pods, each with the potential to carry 20 x S-8DM Rockets. The imagery shows that each aircraft had 2 x B-8M1 Rocket Launcher Pods fitted, giving them the capability to carry 40 x S-8DM Rockets for each aircraft. This is certainly more than was *probably* used in the three attack runs. The flight time to Tangarara would take less than 8 minutes in such aircraft, which links to the attack them from a time and space perspective. They were the only Su-25 operating in Darfur at that time. 7. The Panel has evidence of the delivery of 2,750 of this type of munition to the GoS by a member State in 2010/2011. 8. The Panel has confirmation of the delivery of the Su-25 attack/ CAS to Sudan from a Member State between 2008 – 2010.		

[50] This has a TNT equivalence of 5.5kg, which has been used for all analysis.

Sanction Violation Reference(s):	1. Paragraphs 7 and 8, UN SCR 1556 (2004).[51] 2. Paragraph 7, UN SCR 1591 (2005).[52] 3. Violations of Art. 3 common to GC I-IV 1949, AP II 1977 and relevant rules of customary International Humanitarian Law.[53]
Evidence:	1. Panel Imagery. 2. Other Imagery. 3. ABRIDGED. 4. Interviews with attack survivors (through interpreter) on 02 Dec 13. 5. Crater Analysis. 6. Member State End User Certificates.

2. Probability assessment

The matrix below explains qualitative statement terminology against an associated probability percentage. This is a common methodology for technical analysis or assessment of military weapons, ammunition and explosives.

Qualitative Statement	Associated Probability
Remote or Highly Unlikely	<10%
Improbable or Unlikely	11% - 25%
Realistic Possibility	25% - 54%
Probable or Likely	55% - 74%
Highly Probable or Highly Likely	75% - 89%
Almost Certain(ly)	90% - 98%
Certain(ly)	>99%

3. Casualty List

The following casualties were reported by the ABRIDGED (30 Nov 13),ABRIDGED (30 Nov 13), ABRIDGED (eye-witness):

SER	Name	Age	Location	Fatal/Injured?
1	ABRIDGED	30	Nifasha IDP Camp	• Injured. Taken to El Fasher Hospital.
2	ABRIDGED	40	Nifasha IDP Camp	• Injured. Taken to El Fasher Hospital.

[51] ABRIDGED as unnecessary reference in this extract.
[52] ABRIDGED as unnecessary reference in this extract.
[53] Notably the prohibition of direct attacks against civilians, the prohibition of indiscriminate attacks, and the obligation to take all feasible precautions in planning and executing military operations so as to avoid as far as possible civilian casualties.

SER	Name	Age	Location	Fatal/Injured?
1	Male (Name Expunged)	27	Nifasha IDP Camp	• Fatal
2	Male (Name Expunged)	35	Nifasha IDP Camp	• Fatal
3	Male (Name Expunged)	30	Nifasha IDP Camp	• Fatal
4	Male (Name Expunged)	15	Nifasha IDP Camp	• Fatal
5	Male (Name Expunged)	40	Nifasha IDP Camp	• Fatal
6	Male (Name Expunged)	35	Nifasha IDP Camp	• Fatal
7	Male (Name Expunged)	8	Nifasha IDP Camp	• Fatal
8	Male (Name Expunged)	40	Nifasha IDP Camp	• Fatal
9	Male (Name Expunged)	40	Nifasha IDP Camp	• Fatal
10	Female (Name Expunged)	35	Nifasha IDP Camp	• Fatal
11	Female (Name Expunged)	2	Nifasha IDP Camp	• Fatal
12	Female (Name Expunged)	7	Nifasha IDP Camp	• Fatal
13	Unidentified Male		Nifasha IDP Camp	• Fatal
14	Unidentified Female		Nifasha IDP Camp	• Fatal

4. Evidence (imagery)

Imagery taken by the panel has sometimes been processed through specialist software in order to enhance resolution and to enable the panel to see fine detail. These are referenced with the original number automatically allocated by the camera followed by '*zoom1, zoom2 etc*' All original photographic data is available to the Committee for transparency and verification.

Original Camera Image Code[54]	Camera Type / Lens	Subject	Remarks
SAM_5870	Samsung ES17 ISO1600 12.2 MP /	Destroyed Toyota Hilux	• Taken 01 Dec 13.
SAM_5892		Crater at Scene	• Taken 01 Dec 13.

[54] When taken with a Panel camera or known.

Original Camera Image Code[54]	Camera Type / Lens	Subject	Remarks
SAM_5918	18.9mm Samsung 3X	Device fragments.	• Taken 01 Dec 13.
DSC_8867	Nikon D300S / 80-200mm Nikkor	Su-25 airborne (214) at El Fasher B8-M1 Rocket Pods fitted.	• Time 17:28 on 29 Nov 13
DSC-8879			• Time 17:39 on 29 Nov 13
DSC-8874		2 x Su25 airborne at El Fasher.	• Time 17:39 on 29 Nov 13
DSC_8969		2 x Su25 (TN 208 and 219) on ground at El Fasher on 02 Dec 13.	• Included to illustrate that aircraft fitted with ground attack weapons is routine.

5. Evidence (Documents)

Document Reference	Date	Originator	Title	Remarks
Bombing Incident Report	02 Dec 13	ABRIDGED	Bombing Incident	•
ABRIDGED	15 Aug 13	Member State	Information from Member State prepared in accordance with Panel request of 7 May 2013	• Confirms supply of S-8DM Rockets
ABRIDGED	11 Nov 10	MIC, Sudan	End User Certificate	• For 2,750 S-8DM Rockets
ABRIDGED	13 Aug 10	Member State	1082-12	• Confirms supply of Su-25 aircraft.
ABRIDGED	27 Apr 11	Member State	No Title	• More data on Su-25 aircraft.

6. Evidence (Interviews)

Date	Location	Individual(s)	Summary	Remarks
02 Dec 13	Shangil Tobaya	ABRIDGED	Overview of incident.	• ABRIDGED
02 Dec 13	Shangil Tobaya	Confidential source[55]	Witness statement.	• By cell phone through interpreter.[56] • In third vehicle.

[55] Witness was travelling in the third vehicle in the convoy during the attack.
[56] Interpreter name withheld on request.

Date	Location	Individual(s)	Summary	Remarks
08 Dec 13	Shangil Tobaya	Confidential source	Witness statement.	• Personal interview. • In first vehicle.

7. Evidence - Crater Analysis

From photogrammetry of imagery taken four days after the attack the crater size is estimated to be of between 1.44m and 1.51m diameter with an apparent depth of 0.41m.

This observed, measured crater dimension data was used in the Conventional Weapons Effects Programme (CONWEP)[57] to determine the predicted charge mass of the explosive device necessary to achieve a crater diameter of 1.44m and 1.51m, and thus confirm the suspected type of explosive device used. The CONWEP 2001 data output, showing predicted crater profiles, is attached at Annex B.

From CONWEP 2001:

> Scenario 1: CONWEP 2001 predicts that a surface laid explosive charge of 5.5kg of TNT on dry sand is required to result in a crater diameter of 1.504m with an apparent crater depth of 0.45m. The S-8DM 80mm Rocket contains fuel air explosive with a TNT equivalence of 5.5kg
>
> Scenario 2: CONWEP 2001 predicts that an explosive charge of 5.5kg of TNT detonating only 39mm above dry sand is required to result in a crater diameter of 1.44m with an apparent crater depth of 0.42m. This height of burst is also within the dimensions of the S-8DM rocket.
>
> Scenario 3: CONWEP 2001 predicts that an explosive charge of 5.5kg of TNT detonating only 1mm below dry sand is required to result in a crater diameter of 1.504m with an apparent crater depth of 0.448m. This height of burst is also within the dimensions of the S-8DM rocket.

This crater analysis confirms that it is *almost certain* that the detonation of an explosive device containing explosives with a TNT equivalence of 5.5kg caused the craters observed at the scene of the attack. As the only weapon system in the local area with such a warhead size was the S-8DM 80mm Rockets on the Su-25, then it is*almost certain* that such this type of explosive device caused the observed craters. Images of fragments observed at the scene on 01 Dec 13 are also fully consistent with the fragmentation to be expected from the detonation of such a weapon.

8. Conclusions

The observed, physical and explosive engineering evidence combined determine it is *almost certain*that the S-8DM 80mm Rocket was the type of munition used in the aerial attack on the convoy near Tanagara on 29 November 2013.

It is therefore *highly probable* that Su-25 attack/CAS aircraft (either TN 208 or 214) based at the El Fasher SAirF FOB were used to deliver the ordnance. Both aircraft were observed as being airborne at the time by the Panel. It is not possible to determine which particular Su-25 fired the lethal rockets.

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[57] *Conventional Weapons Effects Programme (CONWEP)*. USACE Waterways Experiment Station, USA, (David Hyde), 2001 Version.

The use of S-8DM 80mm Rockets in Darfur is *almost certainly* a breach of sanctions by Sudan as the ammunition was *certainly* transferred from Khartoum into Darfur..

The use of the Su-25 attack/ CAS aircraft in an offensive role against civilians in Darfur is *almost certainly* a breach of sanctions by Sudan as the aircraft were delivered by a Member State conditional on their non-use on Darfur.

The attack against clearly identifiable members of the civilian population using such weapons systems is *almost certainly* a violation of international humanitarian law.

Annex IX - Summary of reported air attacks in Darfur (01 January 2013 – 17 January 2014)[58]

Date	Location	Sector	Attack Type				Aircraft Type				Ordnance Type	Target	Casualties	
			A/C Bomb[59]	AGM[60]	IM[61]	NK[62]	Mi-24	Su-25	Antonov	NK			Fatal	Injured
04 Jan	Golo	North								X				
07 Jan	Guldo	North								X				
21 Jan	Abu Zayd	North								X				2
27 Jan	Dolma	North								X				
27 Jan	Sharafa	North								X				
27 Jan	Jen and Den Bosh	North								X			1	
06 Feb	Dalma	North								X			1	
17 Feb	Narwa	North								X			5	
11 Mar	Al Hara	North								X				
11 Mar	Jebel Issa	North								X				
11 Mar	Souq Al Ithnain	North								X				
14 Mar	Dirma	North								X		NK		
14 Mar	Kosa (Jebel Mara)	North								X		NK		
22 Mar	Um Agaga	North	3+	8+					1			Civilian	4	1
06 Apr	Muhajeria	East				3				X		SLA/MM		
07 Apr	Khor Abeche	South								X			4	
08 Apr	Muhajeria	East				2				X		SLA/MM		
08 Apr	Labado	East	2							X		SLA/MM		
10 Apr	Ishma	South				1				X				
11 Apr	Abu Zayd	North								X			2	0
11 Apr	Labado	East				2				X				
11 Apr	Labado	East				4				X				
13 Apr	Labado	East				3				X				
28 Apr	Allah Kareem	South			20		2		1					
28 Apr	Umm Gunja	South								X				
05 May	Libi	North								X				
10 May	Abu Jabra	South								X		SLA/MM		

[58] This list is based on open source information.
[59] Aircraft Bomb. (e.g. FAB 500).
[60] Air to Ground Missile or Rocket. (e.g. S-8).
[61] Improvised munition.
[62] Not Known.

Date	Location	Sector	Attack Type				Aircraft Type				Ordnance Type	Target	Casualties	
			A/C Bomb[59]	AGM[60]	IM[61]	NK[62]	Mi-24	Su-25	Antonov	NK			Fatal	Injured
25 May	Sima	North								X			1	0
01 Jun	Kushina	North	1[63]	?								Date of EOD Clearance		
09 Jun	Nertiti > Thur	Central								X				
26 Jun	Rofota	North								X				
28 Jun	Kululu / Kele	North								X				
01 Jul	Abu Zaid									X			1	0
07 Jul	Umm Gunja	South								X				
31 Jul	Arafa Mountains	Central	X						1			SLA/MM		
11 Aug	Suri, Dubbo Al Omda	Central				4				X			9	0
16 Aug	Tukuge	North				?		1					1	0
17 Aug	Vanga	North								X			3	NK
17 Aug	Tanagara	North								X			1	2
18 Aug	Galab	North								X			NK	NK
18 Aug	Tukuge	North				?		1					0	0
20 Aug	Abu Tega	North							2				NK	NK
23 Aug	Dubbo al Omda	North								X			2	NK
02 Sep	Abu Hamra	North								X				
03 Sep	Abu Hamra	North								X			3	0
05 Sep	Kined	North						2	3				11[64]	5
10 Sep	Makariba	North								X			1	NK
10 Sep	Kira	North						X	X					
11 Sep	Sabi	North						X	X					
12 Sep	Jebel Korgi	North						X	X					
15 Sep	Nimra	North							1				0	1
27 Sep	Kela Hijoon	North							2					
28 Sep	Kela Hijoon	North							2					
02 Oct	Guldo Area A	North							X				3	0
03 Oct	Guldo Area B	North							X				0	3
20 Oct	Khor Abeche	South								X			10	6

[63] Cluster munition.

[64] Includes 4 children killed by a UXO on 06 Sep 13.

Date	Location	Sector	Attack Type				Aircraft Type				Ordnance Type	Target	Casualties	
			A/C Bomb[59]	AGM[60]	IM[61]	NK[62]	Mi-24	Su-25	Antonov	NK			Fatal	Injured
20 Oct	Sheira	East							X				12	10
06 Nov	Sur Rai	North								X		NK		
06 Nov	Abu Zaid	North								X		NK		
06 Nov	Dobo El Omda	North								X		NK		
06 Nov	Taradona	North								X		NK		
12 Nov	N of El Malam E of Deribat W of Tabit	North							X			NK		
13 Nov	N of El Malam E of Deribat W of Tabit	North							X			NK		
14 Nov	N of El Malam E of Deribat W of Tabit	North							X			NK		
15 Nov	N of El Malam E of Deribat W of Tabit	North							X			NK		
16 Nov	N of El Malam E of Deribat W of Tabit	North							X			NK		
17 Nov	N of El Malam E of Deribat W of Tabit	North							X			NK		
18 Nov	N of El Malam E of Deribat W of Tabit	North							X			NK		
19 Nov	N of El Malam E of Deribat W of Tabit	North							X			NK	2	0
20 Nov	N of El Malam E of Deribat W of Tabit	North							X			NK	3	0
21 Nov	N of El Malam	North							X			NK		

Date	Location	Sector	Attack Type				Aircraft Type				Ordnance Type	Target	Casualties	
			A/C Bomb[59]	AGM[60]	IM[61]	NK[62]	Mi-24	Su-25	Antonov	NK			Fatal	Injured
	E of Deribat													
	W of Tabit													
22 Nov	N of El Malam	North							X			NK		
	E of Deribat													
	W of Tabit													
23 Nov	N of El Malam	North							X			NK		
	E of Deribat													
	W of Tabit													
24 Nov	N of El Malam	North							X			NK		
	E of Deribat													
	W of Tabit													
25 Nov	N of El Malam	North							X			NK		
	E of Deribat													
	W of Tabit													
26 Nov	N of El Malam	North							X			NK		
	E of Deribat													
	W of Tabit													
29 Nov	Tanagara	North		X				X				Civilian Convoy	14	2
29 Nov	North Sharafa	North							X			Civilians	3	0
11 Dec	Nimra	North						X				Civilian	4	0

Annex X - Summary of SAirF military aviation assets (historical and new violations in Darfur) (17 February 2013 – 17 January 2014)

Aircraft Type	Tactical Number	Delivered to SAirF	Positively Identified in Khartoum	Positively Identified in Darfur	Panel First Violation Reference	Operational in Darfur 2013	Remarks
A-5 *Fantan*[65]	402	Before 2005		Mar 07	2007 Report	NO	• Based at Nyala FOB.
	403	Before 2005		Mar 07	2007 Report	NO	• Based at Nyala FOB.
	407	Before 2005		2008	2008 Report	NO	• Based at Nyala FOB.
	410	Before 2005		Mar 07	2007 Report	NO	• Based at Nyala FOB.
	482	Before 2005		2008	2008 Report	NO	• Based at Nyala FOB.
Su-25	**201**[66]	2008		2010	2010 Report	**YES**	• Arrived at El Fasher on 02 Dec 2013.
	202	2008		Not seen		-	• Possibly written off due to an accident.
	203	2008		2009	2009 Report	-	• Indicated as *Fantan* in 2009 report.
	204	2008		2009	2009 Report	NO	• Indicated as *Fantan* in 2009 report. Being repaired in El Fasher throughout 2013.
	205	2008		Dec 11	-	-	•
	206	2008		2009	2009 Report	-	• Indicated as *Fantan* in 2009 report.
	207	2008		2010	2010 Report	-	•
	208	2008		**2013**	2010 Report	**YES**	• *Most likely* misreported as TN 209 by the Panel in 2010. • El Fasher (May 2013), Nyala (June 2013); Left Darfur on 08 December 2013.
	(209)	-		2010	2010 Report	-	• Not delivered by Member State.
	210	2008		2010	2010 Report	**YES**	• El Fasher (May 2013), Nyala (June 2013); Left Darfur by July 2013.
	211	2009		2010	2010 Report	**YES**	• El Fasher (May 2013), Nyala (June 2013); Still in Darfur in September 2013.
	212	2009		2010	2010 Report	NO	• Totally non-operational in El Fasher since 2011; being cannibalized.
	214	2009		Dec 11	**2013 Report**	**YES**	• Arrived in Darfur before December 2013 to replace TN 211.
Su-25UB[67]	215	2008		2012	2012 Report	-	•

[65] Official name: Nanchang Q-5; *Fantan* is a reporting name.
[66] Use of bold type indicates aircraft seen by the Panel in 2013.
[67] Training version of Su-25, able to carry armament; Aircraft marked with Tactical Numbers 215 – 217 are of the first generation dual seat version.

Aircraft Type	Tactical Number	Delivered to SAirF	Positively Identified in Khartoum	Positively Identified in Darfur	Panel First Violation Reference	Operational in Darfur 2013	Remarks
Mi-17/Mi-171Sh	525	NK		Jul 09	2009 Report	-	• Mi-17; No further details available.
	527	NK		Jul 09	2009 Report	-	• No further details available.
	528	NK		2007	2007 Report	-	• Mi-171Sh; Two-tone colour scheme (c/s) (light olive/ dark green).
	529	NK		2008	2008 Report	-	• Mi-17V-5.
	533	NK		2007	2007 Report	-	• Mi-17V-5; Two-tone c/s (light olive/ dark green).
	534	NK		2007	2007 Report	-	• Mi-17; Two-tone c/s (khaki/ dark olive); seen without and with external hard points mounted.
	537	NK		2009	2009 Report	-	• Mi-17; No further details available.
	546	NK		**2013**	**2013 Report**	**YES**	• Mi-171Sh; Evidence shows this Mi-17 was in Darfur in 2012; not mentioned in an earlier report.
Mi-24P/Mi-24V	913	NK		2006	2006 Report		• Mi-24P; Two-tone c/s (light olive/ dark green).
	916	NK		Jul 09	2009 Report		• No details available.
	918	NK		2006	2006 Report		• Mi-24V; Light olive/ dark green c/s.
	922	NK		2006	2006 Report		• Mi-24V; No details available.
	923	NK		Aug 09	2009 Report		• Mi-24P; Light olive/ dark green c/s.
	925	NK		Aug 09	2009 Report		• Mi-24V; Light olive/ dark green c/s.
	926	NK		Aug 09	2009 Report		• Mi-24V; No further details available.
	928	NK		2010	2010 Report		• Mi-24V; Light olive/ dark green c/s.
	929	NK		Jul 09	2009 Report		• Mi-24P; Light olive/ dark green c/s.
	932	NK		2007	2007 Report		• Mi-24P; Light olive/ dark green c/s.
	933	NK		2010	2010 Report		• Mi-24V; Light olive/ dark green c/s.
	937	NK		Jul 09	2009 Report	**YES**	• **Mi-24P; Light olive/ dark green c/s. El Fasher (May 2013), Nyala (June 2013).**
	938	NK		2010	2010 Report		• Mi-24V; Light olive/ dark green c/s.
	939	NK		Jul 09	2009 Report		• Mi-24V; Light olive/ dark green c/s.
	941	NK		Jul 09	2009 Report		• Mi-24P; Light olive/ dark green c/s.
	942	NK		Jul 09	2009 Report		• Light olive/ dark green c/s; crashed in April 2011.

Aircraft Type	Tactical Number	Delivered to SAirF	Positively Identified in Khartoum	Positively Identified in Darfur	Panel First Violation Reference	Operational in Darfur 2013	Remarks
	943	NK		Jul 09	2009 Report		• Mi-35; Light olive/ dark green c/s.
	945	NK		Jul 09	2009 Report		• Mi-35; Khaki/ dark green c/s.
	946	NK		Jul 09	2009 Report		• Mi-35; Khaki/ dark green c/s.
	947	NK		Jul 09	2009 Report		• Mi-24P; No details available.
	948	NK		2010	2010 Report	**YES**	• **Mi-35; Light olive/ dark green c/s. Observed at Nyala FOB, August 2013.**
	950	Under Investigation		2012	2012 Report	**YES**	• **Mi-35; Khaki/ dark green c/s. Observed at Nyala FOB, December 2013.**
	951	Under Investigation		2012	2012 Report	**YES**	• **Mi-35; Khaki/ dark green c/s. Observed at Nyala FOB, December 2013.**
	952	Under Investigation		2012	2012 Report		• Mi-35; Khaki/ dark green c/s.
	955	Under Investigation		**May 13**	**2013 Report**	**YES**	• **Mi-35; Khaki/ dark green c/s. El Fasher (May 2013), Nyala (June 2013).**
	956	Under Investigation		**Aug 13**	**2013 Report**	**YES**	• **Mi-24P; Khaki/ dark green c/s, based at Nyala FOB.**
An-26[68]	7705	NK		Aug 06	2006 Report		• Marked (UN-)26563. All white colour scheme, no further markings. Also observed in 2007 and 2008 by the Panel.
	7706	**2010**		**Jul 13**	**TBC**	**YES**	• **White fuselage with red/white/red line along fuselage. MSN 10404, previously marked ST-ZZZ (2).**
	7710	NK		2008	2008 Report		• All white colour scheme, no markings except Tactical Number.
	7717	Under Investigation		**Jul 13**	**2013 Report**	**YES**	• **White/grey colour scheme; In Darfur without any markings before July 2013. *Almost certainly* MSN 12606.**
	7718	**NK**		**Sep 13**	**TBC**	**YES**	• **All white colour scheme, no markings except Tactical Number.**
	7719	**NK**		**Sep 13**	**TBC**	**YES**	• **All white colour scheme, no markings except Tactical Number.**
	7777	NK		2008	2008 Report		• All white colour scheme, no markings except Tactical Number.

[68] The use of these aircraft is only a violation of the arms embargo if used in an offensive aerial bombing role. The Panel continuesits investigation.

Aircraft Type	Tactical Number	Delivered to SAirF	Positively Identified in Khartoum	Positively Identified in Darfur	Panel First Violation Reference	Operational in Darfur 2013	Remarks
	ST-ZZZ (1)	NK		Aug 06	2006 Report		• All white colour scheme, no markings except registration. MSN 10407. Crash-landed at El Fasher on 07 August 2006. Hull seen during 2013-mandate.
	ST-ZZZ (2)	NK		2007	2007 Report		• All white colour scheme, no markings except registration. MSN 10404. Became 7706 after overhaul.
	ST-ZZZ (3)	NK	2007		2007 Report		• No markings, no further details available.

Annex XI - Summary of reported armed violence on UNAMID (17 February 2013 – 17 January 2014)[69]

Date	*Location*	*Sector*	*UNAMID Target*					*Perpetrator*	*Casualties*	
			Base	*TS*[70]	*Patrol*	*Residence*	*A/C*[71]		*Fatal*	*Injured*
07 Feb	El Fasher	North			X			Criminal	0	0
17 Feb	El Fasher	North			X			Unconfirmed	0	0
01 Mar	Nyala	South				X		Criminal	0	0
07 Mar	Nyala	South				X		Criminal	0	0
11 Mar	Nyala	South				X		Criminal	0	0
18 Mar	Nyala	South				X		Criminal	0	0
25 Mar	Abu Shouk	North			X			Criminal	0	0
26 Mar	Nyala	South				X		Criminal	0	0
30 Mar	Nyala	South				X		Criminal	0	0
02 Apr	Nyala	South				X		Criminal	0	0
07 Apr	Kutum	North		X				Unconfirmed	0	0
13 Apr	Shangil Tobaya	North			X			Possible GoS[72]	0	0
14 Apr	Nyala	South				X		Criminal	0	0
19 Apr[73]	Muhajeria	East		X				GoS Uniformed	1	2
24 Apr	Nyala	South				X		Criminal	0	0
30 Apr	Nyala	South				X		Criminal	0	0
01 May	Ed Al Furson	South		X				Unconfirmed	0	1
04 May	Labado	South			X			Unconfirmed	0	0
07 May	Nyala	South				X		Criminal	0	0
08 May	Abdulul Shakar	North			X			TAG	0	0
29 May	Nyala	South			X			Unconfirmed	0	0
01 Jun	Khor Abache	South		X				SLA/MM	0	0

[69] This list is based on open source information.
[70] Team Site.
[71] Aircraft.
[72] Government of Sudan Forces (SAF, Reserves, Border Guard or PDF).
[73] Events in Red indicate fatalities.

Date	Location	Sector	UNAMID Target					Perpetrator	Casualties	
			Base	TS[70]	Patrol	Residence	A/C[71]		Fatal	Injured
14 Jun	Al Matar	South				X		Criminal	0	0
28 Jun	Niteaga	South			X			tbc	0	0
30 Jun	Tulus	South			X			tbc	0	0
03 Jul	Um Zeifa	East			X			tbc	0	3
12 Jul	Nyala	South	X					tbc	0	0
13 Jul	**Khor Abeche**	**South**			**X**			tbc	**8**	**16**
25 Jul	Labado	East		X				SLA/MM	0	0
01 Aug	Nyala	South			X			Criminal	0	0
07 Aug	El Daein	East				X		Criminal	0	0
12 Aug	El Daein	East			X			tbc	0	0
25 Aug	Graida	South			X			tbc	0	2
26 Aug	Mumjeri	East			X			tbc	0	3
27 Aug	Niaro	West			X			tbc	0	0
01 Sep	Shaeria	East			X			tbc	0	0
02 Sep	Fata Borno	North			X			tbc	0	0
01 Oct	Nyala	South			X			tbc	0	0
07 Oct	Ed Al Fursan	South		X				Sole civilian	0	1
11 Oct	**El Fasher**	**North**			**X**			**3 Armed**	**1**	**1**
13 Oct	**El Geneinia**	**West**			**X**			tbc	**3**	**1**
02 Nov	El Daien	East			X			tbc	0	0
03 Nov	Kutum	North			X			tbc	0	0
08 Nov	Kutum	North			X			Criminal	0	0
11 Nov	Shangil Tobaya	North		X				Criminal	0	2
11 Nov	Zalingie	Central				X		Criminal	0	0
20 Nov	Nyala	South		X				Criminal	0	0
23 Nov	El Fasher	North			X			Criminal	0	0
24 Nov	Sanabil	North			X			tbc	1	0
13 Dec	El Fasher	North			X			Criminal	0	0

Date	Location	Sector	UNAMID Target				Perpetrator	Casualties	
			Base	TS[70]	Patrol	Residence	A/C[71]	Fatal	Injured
29 Dec	Graida	South			X		tbc	2	0

Annex XII - Summary of reported armed tribal violence (17 February 2013 – 17 January 2014)[74]

Date	*Attack Location (Town)*	*Sector*	*Armed tribes involved*																*Casualties*	
			Abbala	**Beni Halba**	**Beni Hussein**	**Fallata**	**Fur**	**Gimir**	**Habbinaya**	**Maaliya**	**Misseriya**	**Rezeigat**	**Salamat**	**Tarjam**	**Taisha**	**Uturiya**	**Zaghawa**	***NK / Other***	*Fatal*	*Injured*
01 Jan	Samaha	East										X						X	NK	NK
05/6 Jan	Jabel Amer	North	X		X														0	0
12 Jan	Barkita Seira	North	P		X														12	0
16 Jan	Salayle	South	X		P													PX	18	0
16 Jan	Wadi Salal	West																X	3	0
17 Jan	Darmucta	North	P									P							0	0
21 Jan	Hereza	South			X														1	0
21 Jan	Azirni	West	P				X												1	0
28 Jan	Um Dukhan	South		P							X								3	0
28 Jan	Um Dukhan	South		X							P								7	4
31 Jan	Abu Nunu	South		X							X								2	0
01 Feb	Dieib El Reeh	South																PX	3	4
07 Feb	Al Obeid Wadi	South									P	P						X	0	0
17 Feb	Umm Hajara	North	P															X	1	0
27 Feb	Kabkabiya	North	P															X	16	7
01 Mar	Batikha	South		X				X											1	0
06 Mar	Asthma	South																PX	1	0
12 Mar	Sulma	West																PX	0	0
16 Mar	Jengel and Hijilija	West																PX	0	0
16 Mar	Nurno	North					X											P	0	0
17 Mar	Gildo	Central										X					P		3	0
02 Apr	Seid	South							X									P	0	0

[74] This list is based on open source information.

Date	Attack Location (Town)	Sector	Armed tribes involved																Casualties	
			Abbala	Beni Halba	Beni Hussein	Fallata	Fur	Gimir	Habbinaya	Maaliya	Misseriya	Rezeigat	Salamat	Tarjam	Taisha	Uturiya	Zaghawa	NK / Other	Fatal	Injured
03 Apr	Um Dukhan	Central									P		X						0	1
05 Apr	Abu Jaradil	South									X		P						13	0
06 Apr	Abu Jaradil	South									P		X						55	60
12 Apr	Saraf Margin	Central									P		X						0	2
17 Apr	Rahad El Berdi	South									X1		X2		X1				150	200
26 Apr	Katalya	South		X				X											0	7
28 Apr	Sudan-Chad Border	Central									X		P						1	0
29 Apr	Um Dukhan	Central									P		X						2	0
02 May	El Sereif	North	P		X														1	0
02 May	Al Salam	South					X							X					8	8
06 May	Kutum-Kabkabiya Road	North	P																0	2
07 May	Ezrig	South											X		X				41	
07 May	Mukjah / Kure	West									X1	X1	P						1	0
08 May	Mukjah / Kure	West									P1	P1	X						0	0
08 May	Abu Jabra	South	P		X	P						P							10	0
09 May	Baggio	East															X		4	4
09 May	Amsinina	North	P		X														0	2
12 May	Goz Badine	South																	1	1
19 May	Kino	North	X		X															Y
20 May	Amsinina	North	P		X														0	0
20 May	Esharaya	East										P							0	26
20 May	Hirban	East									X	X							3	0
22 May	Katalya	South		P				X											33	21
24 May	Tannaby	North			X											P			0	0

Date	Attack Location (Town)	Sector	Armed tribes involved															Casualties	
			Abbala	Beni Halba	Beni Hussein	Fallata	Fur	Gimir	Habbinaya	Maaliya	Misseriya	Rezeigat	Salamat	Tarjam	Taisha	Uturiya	Zaghawa	NK / Other	Fatal	Injured
25 May	Medissis	North	P		X														1	0
27 May	Al Gara'aya	Central									X		X						NK	NK
27 May	Katalya	South	X	X				X											88	NK
01 Jun	Mukjar	South									X		X						2	2
02 Jun	Khamsadagaig	West					X											P	0	0
02 Jun	Sarow	Central									P		X						17	21
04 Jun	Muradef	Central									X		X						5	NK
10 Jun	Morlanja	Central									X		X						11	28
10 Jun	Kabar	Central									X		P						5	4
11 Jun	Morlinga	Central									P		X						NK	NK
14 Jun	Treij	Central									X		P						2	0
15 Jun	Treij	Central									P		X						1	0
17 Jun	Auro Com	Central									X		X						5	NK
18 Jun	Umdakum	North	P		X														2	1
19 Jun	Shataya	South									X		X						40	45
19 Jun	Orokom	West									X		P						1	0
19 Jun	Orokom	West									P		X						2	5
20 Jun	Babanusa	South																X	2	2
21 Jun	El Sereif	North	P		X														NK	NK
24 Jun	Wadi Gemiss	South																PX	2	11
25 Jun	Thur	West											P					X	0	12
25 Jun	Shateen et al	South		P				X											9	5
25 Jun	Abu Jaradil	South									X		P						15	3
25 Jun	Abu Jaradil Area	South									P		X						42	NK
25 Jun	Wedei Elteen																	PX	1	1

Date	Attack Location (Town)	Sector	Armed tribes involved																Casualties	
			Abbala	Beni Halba	Beni Hussein	Fallata	Fur	Gimir	Habbinaya	Maaliya	Misseriya	Rezeigat	Salamat	Tarjam	Taisha	Uturiya	Zaghawa	NK / Other	Fatal	Injured
26 Jun	Wadi Aramba																	PX	2	4
26 Jun	Katuba	South																P[illegible]	2	2
26 Jun	El Siraif	North			X							P							54	24
27 Jun	Mirada	Central									X		X						NK	NK
29 Jun	Shamot	North	P		X														4	6
06 Jul	Jileta	North	P															X	1	2
07 Jul	Nyala	South									P		X						1	2
12 Jul	Nyama	Central	P																7	6
12 Jul	Murraya Shamal										X		P						1	0
23 Jul	Mashrou	Central									X		X						5	0
26/7 Jul	Um Dukhan	West									P		X						60	NK
29 Jul	Garsila	Central									X		X						NK	30
29 Jul	Al Malwashi	Central					X											X	6	3
29 Jul	Kabkaniya	Central																P	1	3
04 Aug	Kaga Bogowl	West																PX	3	0
08 Aug	Abu Karinka	East										P						X	3	0
09 Aug	Kilkil	East										X						X	7	0
09 Aug	Adola Area	North								X		X							9	30
10 Aug	Al Mujald	East								X		X							114	103
10 Aug	Um Majda	East								X		X							1	NK
11 Aug	Abou Shibeid	East								X		X							NK	NK
11 Aug	El Daein	East						X				P							1	0
13 Aug	El Daein Area	East								X		X							95	202
19 Aug	Kokma	North	X		X														1	1
21Aug	Abu Jabra	East										X						X	2	1

Date	Attack Location (Town)	Sector	Armed tribes involved																Casualties	
			Abbala	Beni Halba	Beni Hussein	Fallata	Fur	Gimir	Habbinaya	Maaliya	Misseriya	Rezeigat	Salamat	Tarjam	Taisha	Uturiya	Zaghawa	NK / Other	Fatal	Injured
22 Aug	El Daein	East								X								X	1	0
25 Aug	Kalaju	East								P		X							1	0
16 Sep	El Hamzard	East								X		P							0	0
18 Sep	Bakhit	East								X		P							41	51
19 Sep	Amar Gedid	Central									X		P						0	1
20 Sep	Dembow Kabdy	Central									X		P						2	4
20 Sep	Kubkie	Central									P		X						NK	NK
21 Sep	Mukjar	Central									P		X						0	0
26 Sep	Gosa	North	P		X														1	1
26 Sep	Muraya	Central									X		P						8	3
26 Sep	Suwar Waga	Central									P		X						12	17
27 Sep	Muraya	Central									P		X						NK	NK
27 Sep	Tura	North																PX	2	0
27 Sep	Krinding 2 IDP	West																PX	1	0
27 Sep	Sowarwaga	Central									X		X						37	20
28 Sep	Montowa	South											P					X	1	2
02 Oct	Jebel Amer	North	P																6	1
03 Oct	Bindisi	Central									X		X						0	0
05 Oct	Baraka	East										X						X	3	0
07 Oct	Kirkiria	North					X											P	1	0
07 Oct	Kabkabiya	North																PX	1	1
07 Oct	Nertiti	Central					X											X	1	0
21 Oct	Jourof	North	P		X														0	0
24 Oct	Bindisi	Central									X		X						3	13
28 Oct	Amjara	North	P		X														1	1

Date	Attack Location (Town)	Sector	Armed tribes involved															Casualties	
			Abbala	Beni Halba	Beni Hussein	Fallata	Fur	Gimir	Habbinaya	Maaliya	Misseriya	Rezeigat	Salamat	Tarjam	Taisha	Uturiya	Zaghawa	NK / Other	Fatal	Injured
28 Oct	Erbala	Central									X		X						8	13
29 Oct	Mukjar	Central									X		X						7	15
29 Oct	Mukjar	Central									X		X						6	18
31 Oct	El Serief (40km)	Central	X		P														1	1
01 Nov	Sabrina	Central			X		X											P	1	1
01 Nov	Sabrina	Central	P				X												4	16
06 Nov	Dambar	Central									P		X							
07/08 Nov	Amar Gedid/Gulai	Central									X		X						200	NK
10 Nov	Rahed al Berdi	Central											X		X					
10 Nov	El Serief (40km)	North	X		X															
11 Nov	Mukjar	Central	P	X	X		X												2	0
14 Nov	Um Dukhan	Central									X		P						3	7
15 Nov	Tarbiba	West											X					X	0	0
17 Nov	Oum	East								P							X		0	2
01 Dec	Jebel Jou	Central								X								X	100	NK
03 Dec	Mukjar	Central	P				X												1	0
03 Dec	Falawa	East																PX	3	0
05 Dec	Aljalabi	East								X		P							2	0
07 Dec	Adilla / Abu Karinka	East								X								X	48	NK
08 Dec	Al Walaem	South	X						X										15	6
10 Dec	Sa'af Umra	North						X										P	2	0
17 Dec	Ghazal Jawazal	East																PX	2	3
2014																				
08 Jan	Deleig	Central									P							X	6	NK

Date	Attack Location (Town)	Sector	Armed tribes involved														Casualties	
			Abbala	Beni Halba	Beni Hussein	Fallata	Fur	Gimir	Habbinaya	Maaliya	Missertiya	Rezeigat	Salamat	Tarjam	Taisha	Turiya	Zaghawa	NK / Other	Fatal	Injured
11 Jan	Dungo	Central					X											P	1	1

Annex XIII – Sheikh Musa Hilal AbdallaAl Nasim Documentation

Appendix A - Sudan National Assembly Website (Arabic)

Appendix B - Sudan National Assembly Website (English)

Appendix C - Signature 1 (Mahameed Tribe Agreement)

Appendix D - Signature 2 (Beni Hussein / Abbala Agreement)

Appendix E - Interview (04 March 2013)

Appendix A to Annex XIII– Sudan National Assembly Website (Arabic)

English

- الرئيسيه
- الهيئه التشريعيه المجلس الوطني مجلس الولايات
- عن المجلس الوطني نبذة تاريخية المجلس الحالي أعضاء المجلس دور المجلس مصطلحات برلمانيه اليوم العمر
- الأمانه العامه الأمين العام الحالي أمناء سابقون الهيكل التنظيمي وظائف الامانه العامه
- اللجان اللجان الدائمه
- الأنشطه والأعمال الأعمال التشريعيه الأعمال الرقابيه الأنشطه الخارجيه الأنشطه الداخليه
- الوثائق الدستور اللوائح المكتبة مطبوعات البرلمان المراسيم الجمهورية
- الكتل والمجموعات البرلمانية المجموعات البرلمانيه مجموعات الصداقه البرلمانيه
- إتصل بنا

ابحث عن عضو

الاسم

الحزب

بحث

الأحزاب المشاركة

- الاتحادي الديمقراطي
- الاتحادي الديمقراطي الاصل
- الاخوان المسلمون
- الامه
- الامه الاصلاح والتنميه
- الامه العدالي
- الامه الوطني
- الحركه الشعبيه لتحرير السودان
- المؤتمر الشعبي
- المؤتمر الوطـني
- حزب الامه القيادة الجماعيه
- مستقل

موسى هلال عبد الله التميم

الحزب	المؤتمر الوطنى
الدائرة	الواحة
البريد الإلكترونى	
اللجان	لجنة الشؤون الخارجية والأمن والدفاع الوطني عضو
السيرة الذاتية	

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Appendix B to Annex XIII– Sudan National Assembly Website (English)

عربى

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member's name

party

search

موسى هلال عبد الله النسيم

party	المؤتمر الوطنى
الدائرة	الواحة
تاريخ الإلتحاق	0000-00-00
email	
committee	The Security and National Defense Committee عضو
Biography	

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Appendix C to Annex XIII– Signature 1 (Mahameed Tribe Agreement)[75]

Sheikh Musa Hilal stands ready to work with the United Nations under the leadership of UNAMID in full collaboration with the relevant national institutions to establish a Plan that would enable the identification, registration, rehabilitation and reintegration of all children carrying weapons as fighters.

The Native Chief Administrator and Community Leader

Sheikh Musa Hilal

Signature: ..... **Date:** 26/07/2013

Copied to UNAMID Joint Special Representative.

Original in Arabic.

[75] Source: Confidential.

Appendix D to Annex XIII– Signature 2 (Beni Hussain / Abballa Agreement)[76]

التوقيعـــــــات :

الطرف الأول اعيان الرزيقات :

١- الناظر/ عبدالباقي عبدالرحمن عبدالباقي إدارة الزبلات _____

٢- صالح علي محمد جيد وكيل إدارة الماهرية _____

٣- محمد عبيد الله تربو رئيس هيئة شورة قبائل -مرف عمرة _____

٤- موسى محمد أبو وكيل إدارة أولاد راشد _____

الطرف الثاني أعيان البني حسين :

١- العمدة / الدوم آدم أبكر _____

٢- العمدة موسى فضيل جار _____

٣- المندوب / آدم عبدالعزيز عبدالله _____

٤- المندوب / حسن يعقوب أبكر _____

المشرفين على الاتفاق :

١- الشيخ / موسى هلال عبدالله مستشار ديوان الحكم الاتحادي وعضو البرلمان السوداني _____

٢- محمد اسماعيل آدم حامد وكيل إدارة البني حسين _____

الشهـــــــود :

١- الشرتاي الطيب أبكورة أحمداي إدارة دارفيا _____

٢- الشرتاي عبد الله موسى أبوشوك إدارسمبى كارا _____

٣- الملك نورين عبدالله ريفة وكيل إدار سمبي كوري _____

٤- الأستاذ / بحرالدين عامر اسماعيل رئيس هئية الشورى الزغاوة _____

المكان : محلية كبكابية - حي انشاطئ .

[76] Source: Confidential. (10 September 2013).

Appendix E to Annex XIII- Interview (04 March 2013)

زعيم قبيلة المحاميد موسى هلال هولاء يتحملون مسئولية أحداث السريف

الاثنين, 04 مارس 2013 13:43 الحوارات - حوارات محلية

هولاء يتحملون مسئولية أحداث السريف
لابد من تحقيق نزيه حول أحداث جبل عامر
هناك أخطاء صاحبت مشاركة القبائل في المواقع السياسية
يغيب لفترة طويلة، يكون إما بداخل السودان أو خارجه، فيطل بعد طول غيبة.. حينها لا يكون ظهوره عاديا، إنما لابد أن يحمل مفاجآت نارية.. هذه المرة فتح مستشار ديوان الحكم الاتحادي زعيم قبيلة المحاميد، موسى هلال، النار في اتجاهات مختلفة بسبب أحداث السريف. هلال في أحيان كثيرة كان لا يستجيب إلى المداخلات والمقاطعات من قبلنا حينما كان يتحدث حول الموضوع بمكتبه في ديوان الحكم الاتحادي، حيث استقبلنا بترحاب شديد، وأجاب على الأسئلة التي وضعت أمامه بوضوح وجرأة فإلى ما أدلى به زعيم قبيلة المحاميد موسى هلال

حوار: لينا يعقوب - الهضيبي بس

تصوير: سعيد عباس

ما السبب وراء هذه الزيارة الطويلة الخارجية؟ وهل حقا كنت (زعلان)؟

والله الزيارة كانت لدولة الامارات ولا علاقة لها بالهروب كما فُسرت.. هي زيارة عادية لا تخلو من بعض الأصال الشخصية والاتصالات مع الحركات على صعيد ما يجري من مفاوضات السلام بالدوحة – ليس لها علاقة بزعل، وعلى ماذا نزعل؟.

على عدم إعطائكم حصة مناسبة من خلال مشاركتكم في الحكومة..

والله الموازنات هي في الأصل جزء من حل لدى موقع أصحاب القرار السياسي أكثر من كونها عرضا للمشاكل من حيث المكتسبات القبلية، لكن هناك أخطاء في الموازنات السياسية نعترف بها.

كان لديك تصريح المحت فيه إلى أنكم لن ترضوا مستقبلا بمثل هذه المشاركة السياسية نسبة لتعدادكم السكاني؟

والله المسألة كما أشرت، هناك أخطاء صاحبت وزنة مشاركة القبائل في المواقع السياسية وليس هناك شك في ذلك وهي واضحة ومرئية بالعين المجردة.

هل أبلغتم القيادة والجهات المسئولة عن هذا الرأي؟

الرأي في الإعلام هو في الأصل حديث ورسائل إلى جميع الجهات المسئولة وعموم الشعب السوداني.

ما تقوم به بعض المجموعات السكانية الآن هو أشبه بتمرد على الحكومة!!

لا أستطيع أن أقول إن هناك تمردا بالمعنى الذي تحمله الكلمة، هناك أفراد ومجموعات شبه متفلتة تذهب نحو هذا الشيء دون طرح معنى الكلمة بصورة كاملة، هناك مزج واختلاط حول هذه الأصول، لذا لا نستطيع أن نتحدث حول قبائل عربية أو زنجية، المجتمع السوداني مخلوط، هناك شباب وخريجون وبعض المتفلتين (جايطين).

هل التقيت بهم؟

التقيت بهم على الدوام.

ما مطالبهم؟

هناك من تكون له مطالب حيث يرى أن هناك أخطاء في التوظيف المدني أو أخطاء في وزنة التنمية، وهذه وجهة نظرهم.

هناك من يردد أنك تخطط لتنفيذ شيء ما مستنداً على موقعك القيادي القبلي!!

أنا أقود بشكل علني، وأنا أحد الرموز المعروفة على المستوى القاعدي أو السياسي.. عدة أشياء أجد نفسي فيها وهذا أمر واضح على الملأ وليس خفيا، لابد أن يكون لنا دور في قيادة الوطن والمجتمع.. أما مسألة قلب الصفحة على النظام فلا يهمنا.

القبائل التي تقودها ترفض سياسات وقرارات كثيرة، وقد تتمرد وأنت الذي تقودها، الأمر الذي يشير إلى دور معلن وآخر خفي؟

السر والعلن شيء طبيعي وكوني، أي إنسان يكون لديه أمور خاصة بجانبه السياسي أو خطته السياسية ولا تكون علنا، هناك ما يُطرح، وهناك ما لا يُذكر.

هل التقيت بحاملي سلاح خلال زياراتك الأخيرة؟

نعم، هناك من يأتون في شكل مصالحات وقيادات لحركات ونحن بدورنا ندير معهم الحوار...

كيف تنظر لأحداث السريف التي جرت مؤخرا بولاية شمال دارفور؟

مشكلة السريف شيء مؤسف وكل المشاكل التي تجري في السودان نتأسف حقا على حدوثها، المشاكل الأمنية أدت بدورها إلى سفك أرواح الناس، لكن بالتأكيد هي ليست الأولى، فهناك مشكلات حدثت قبلها، هناك من يقومون بالتحدين منذ سنتين في منانجم صبرنا وجبل عامر

وجلي، ولم يتحاربوا، لكن السؤال الذي يطرح نفسه لماذا تحاربوا بعد زيارة مجموعة من السياسيين؟!!.
وهل توفرت لديك معلومات عن الأسباب؟
نعم توفرت لدي معلومات من وقائع الحادثة، هناك عدة مواقع حدث بها تنقيب شعبي ولم تحدث بها مشاكل، المنجم لم تكن به قبائل معينة، إنما جميع مكونات المجتمع السوداني.. ما السبب الذي ادى لتقاتل الاوضاع في المنجم حيث تم ذبح المواطنين؟
ماذا فعلوا؟ هل دعوا القبائل لكي تتقاتل مثلا؟
أسألوا أهل المشكلة.. ما هو واضح أن هناك تحرشا بمواطنين تم طردهم من التنقيب، واعتقد أن قيادة الولاية تتحمل جزء من المسئولية ليس ذلك فحسب بل هي تسأل عن ما حدث قبل ذلك في كتم والكومة ومليط، أنا أعتقد أن هذه المسائل تحتاج إلى مراجعة من الدولة لتعلم من هم المسئولون.
سعادة المستشار المشكلة في أساسها صراعات قبلية حول الموارد!!
أنا أعتقد أن إصرار الدولة على بقاء قيادي بعينه عشرات السنين في الولاية دليل على أن هذا الإنسان يمكن بمقومات الدولة ومالها أن يحل المشاكل، وهذا ما لم يحدث لضعف القدرات القيادية والفشل في ترسيخ الأمن، ما أريد أن أقوله إن الضحايا الذين راحوا في هجوم المنجم، قتلوا وذبحوهم ومائتت عدة قبائل.. رزيقات وبني هلبة ومسيرية وفور وكل القبائل كان لديها ضحايا.. أنا أرى أنه يجب حصر من كان من المعدنين في المنجم، بما فيهم من ابناء القبائل وبما فيهم من الأجانب.. وبعد فترة ذهبت وفود من عدة قبائل كي تقوم بهدنة، والهدنة حصلت لأكثر من شهر، وهنا أتساءل من أين جاء الاعتداء الأخير؟.
ماذا تريد ان تقول يا سعادة المستشار؟
نحن من بداية المشكلة نحتاج إلى لجنة تحقيق مقتدرة.
(مقاطعة) لكن تم تشكيل لجنة من وزارة العدل؟
لا أعرف إن شكلت أم لا.. لكن نحن نطالب بلجنة تحقيق محايدة مقتدرة بأناس متخصصين في المشكلة، ونحن مع لجنة لإيقاف نزيف الدم واسترجاع المنطقة للهدوء الطبيعي، نحن لا نريد لأحد أن يحميه موقعه السياسي ليولد فتنا في البلد ويستغل إمكانيات الدولة، نحن نريد وقفة حقيقية من الدولة ومحاسبة لا تعرف كبيرا وبغض النظر عن الأقاويل "فلان بخطط بسرية والأخر بيقلب الصفحة".. هذا ضلال وكذب، هم يشوهون من أرادوا تشويهه إعلاميا ويحرفون صورته، ويرفعون من أرادوا أن يرفعوه في الإعلام بالأكاذيب.. هذه وجهة نظرنا في القضية.
هل هناك دور سياسي؟
"الشايف راسو بعرف خلاصو"، كنا نحن أو مسئولي الدولة أو حتى المعارضة، السودان أصبح شيئا لا يمكن تجميعه بصورة عقلانية ومرتبة.
ولكن جهات من الحكومة وقفت على هذه الأحداث!!
مؤخرا عرفنا أن القوات المسلحة والشرطة ذهبت إلى المنطقة وبسطت هيبة الأمن حيث قامت بعمل خطوط عزل بين المتقاتلين وهدأت المسألة.. لكن المطلوب لجنة تحقيق محايدة ليست منسوبة لحزب، تشمل رموزا أهلية ليحددوا ما هوية هذه المشكلة، وليس بتضليل الناس في الإعلام.. المهم أن تكون هناك إصلاحات في البلد تقي الفتن وبعيدا عن المؤامرات السياسية.
هناك انتشار للسلاح على الحدود السودانية التشادية!!!
لا يوجد شيء مثل هذا الكلام.. الحدود بعد المصالحة التي تمت بين البلدين بها قبضة قوية جدا من قبل الجيش، لا يوجد سلاح عابر، هناك سلاح انتشر أثناء مشكلة ليبيا وتم بيعه في المنطقة لكن الأن لا..
هل تعتقد أن تعيينك كمستشار جاء كمجاملة لك؟
قصدك ما قاعد أخدم زول؟
هل أنت ممسك بملفات معينة في ديوان الحكم الاتحادي؟
مافي مستشار ممسك بملفات في السودان.
هل أنت راض بهذا المنصب؟
أعتقد أن السودان محتاج لإصلاح كامل بغض النظر عن أن أكون مستشارا مهمشا أم لا.
نفهم بوضوح أنك غير راض؟
لا أريد الحديث عن نفسي، راض أم لا، لا أريد الخوض في التفاصيل.
قلت إنك التقيت بحملة السلاح، فهل لا زالت هناك اتصالات معهم؟
نعم، اتصالات مفيدة وليست ضارة
وكيف يمكن أن تكون مفيدة إن كان الطرف الأساسي (الحكومة) غير موجود فيها؟
خلاص الحكومة تشوف تدخل منو وتبعد منو في شغلها مع الحركات.. أنا لا أتصل بهم ليقع ضرر على السودان.
وتعليقك على وثيقة الفجر الجديد؟

Annex XIV – Jibril Abdulkarim Ibrahim Mayu 'Tek' Documentation

Appendix A - 'Tek' Civil Registration

Appendix B – 'Tek' Civil Registration (Official UN Translation)

Appendix C – 'Tek' Certificate of Sudan Nationality (Cover)

Appendix D – 'Tek' Certificate of Sudan Nationality (Text)

Appendix E – 'Tek' Certificate of Sudan Nationality (Text) (Official UN Translation)

Appendix A to Annex XIV– 'Tek' Civil Registration[77]

Republic of Sudan
Ministry of Interior
Police Forces Headquarters
Passports & Civil Registration Corporation
Civil Registration Directorate General

جمهورية السودان
وزارة الداخلية
رئاسة قوات الشرطة
هيئة الجوازات والسجل المدني
الإدارة العامة للسجل المدني

شهادة قيد مدني

مكتب التسجيل الفاشر

تاريخ إستخراج الشهادة 25/03/2013

الرقم الوطني 192-3238459-9

الاسم جبريل عبدالكريم ابراهيم مايو

مكان الميلاد شمال دارفور ، الفاشر ، الفاشر ، حي النيل

تاريخ الميلاد 01/01/1967

إسم الوالدة عوضية بحر عبدالله حمدى

الحالة الاجتماعية	الجنس	نوع الجنسية	بالميلاد
متزوج	ذكر		

المهنة اعمال حرة

عنوان العمل

الضابط المسئول

الرتبه عقيد

الاسم الدكتور حسن التجاني احمد

التوقيع

[77] Source: DRA. (Handed to Panel on 24 September 2013)

Appendix B to Annex XIV– 'Tek' Civil Registration (Official UN Translation)

1350300E

Translated from Arabic

Republic of the Sudan
Ministry of the Interior
Police Forces Headquarters
Department of Passports and Civil Registration
Directorate-General of Civil Registration

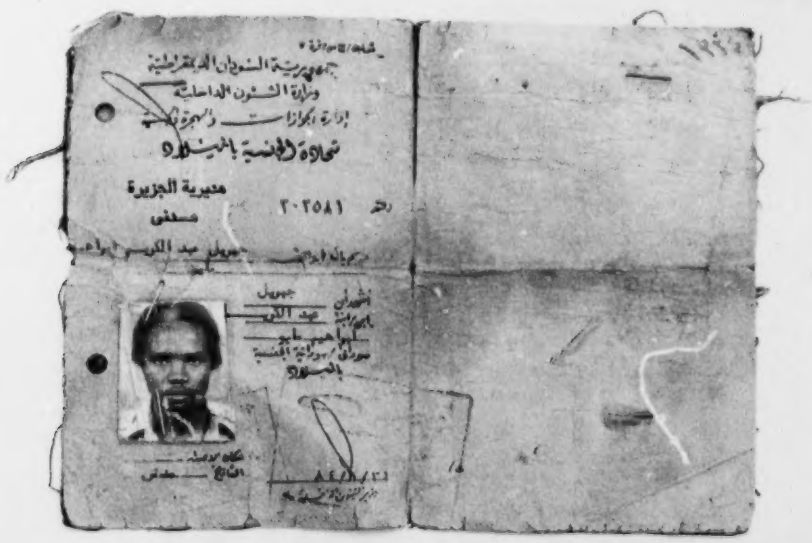
Civil Register Entry

Registration Office: El-Fasher
Retrieval date: 25 March 2013
National Identification number: 192-3238459-9
Name: Jibril Abdulkarim Ibrahim Mayu
Place of Birth: Nile District, El-Fasher, El-Fasher, North Darfur
Date of Birth: 1 January 1967
Name of mother: Awadiyah Bahr Abdullah Jundi
Marital Status: Married **Sex:** Male **Nationality type:** By birth
Occupation: Self-employed

(Signed) Colonel Hasan al-Tijani Ahmad

Appendix C to AnnexXIV– 'Tek' Certificate of Sudan Nationality (Cover)[78]

Appendix D to Annex XV– 'Tek' Certificate of Sudan Nationality (Text)



[78] Source: Photographed by Panel in presence of 'Tek' on 5 December 2013.

Appendix E to Annex XIV– 'Tek' Certificate of Sudan Nationality (Text)
(Official UN Translation)

Translated from Arabic

[Cover]

Democratic Republic of the Sudan
Certificate of Sudanese nationality acquired through birth
Issued pursuant to article 7 of the Nationality Act (1957)

[Inside]

Democratic Republic of the Sudan
Ministry of the Interior
Department of Passports, Immigration and Nationality
Certificate of nationality acquired through birth

No.: 302581
Jazeera governorate
Madani
Name and surname: Jibril Abdulkarim Ibrahim Mayu
I attest that: Jibril
Son/daughter of: Abdulkarim Ibrahim Mayu
Is a Sudanese national by birth

[Stamp] [Photograph]
(*Signed*) [illegible]

31 January 1984 Done at: Madani
Minister of the Interior Date:

Annex XV– Estimated AOG financial requirements for military operations[79,80]

AOGs	Number of Fighters			Daily Operational Costs (US$)						Annual Operational Costs (US$)					
				US$ 1			US$ 3			US$ 1			US$ 3		
	Min Op	Max Op	Maximum Recruit Level	Min Op	Max Op	Maximum Recruit Level	Min Op	Max Op	Maximum Recruit Level	Min Op	Max Op	Maximum Recruit Level	Min Op	Max Op	Maximum Recruit Level
JEM	800	1,200	2,500	800	1,200	2,500	2,400	3,600	7,500	292,000	438,000	912,500	876,000	1,314,000	2,737,500
SLA/AW	690	2,500	3,500	690	2,500	3,500	2,070	7,500	10,500	251,850	912,500	1,277,500	755,550	2,737,500	3,832,500
SLA/AK	60	80	200	60	80	200	180	240	600	21,900	29,200	73,000	65,700	87,600	219,000
SLA/MM	550	2,500	5,000	550	2,500	5,000	1,650	7,500	15,000	200,750	912,500	1,825,000	602,250	2,737,500	5,475,000
TOTALS	2,100	6,280	11,200	2,100	6,280	11,200	6,300	18,840	33,600	766,500	2,292,200	4,088,000	2,299,500	6,876,600	12,264,000

[79] These are estimated and fluid numbers that reflect the situation on the ground as at 10 December 2013. It is difficult to estimate accurate operational data for Darfur as fighters for each of the AOG move between Darfur, Kordofan and Blue Nile. As at December 2013 the main centre of gravity of AOG operations was outside Darfur, hence the number of operational fighters is low compared against the maximum recruitment levels. This is supported by the data at Annex III that clearly shows that SLA/MM operations were predominant in the first three quarters of 2013, with SLA/AW becoming predominant in the last quarter of 2013.

[80] This data is only accurate to +/- 40% to a 85% confidence level. In effect, the data is still only within the correct order of magnitude of the AOG strength.

Annex XVI– SLA/AW 'Convoy Passage Tax' Demand[81]

21-12-2013 SATerday

HELLO UNAMIED SOLDIERS.

WE HOPE YOU ARE DOING WELL

JUST WE WANT TO INFORM YOU THAT HERE THERS CHECK POINT BLONG TO THE SLA SOLDIERS HERE THE TRUCKS WHICH COMING WITH UNAMIED SOLDIERS THEY HAVE TO PAY OR YOU HAVE TO PAY ONE THOUSAND SUDANES POUNDS TO TRUCK WHICH COMING FROM ELFASHER TO KABKABIA THAT MEANS THE TRUCK WHICH IS FULL OF YOUR GOODS.

AND THE TRUCK WHICH COMING FROM KABKABIA TO ELFASHER TO PAY 500 SUDANES POUNDS THIS IS THE EMPTY TRUCKS AND OTHERS COMMERCIAL TRUCKS ALSO THEY PAYMEY AS WELL

ALL THIS LETTER EXPLAINNEY FOR THE ROAD TAXES OR CHECK ~~POINT~~ POINT TAXES -

NORTH CHECKPOINT FOR

S-L-A

SOLDIERS

AFTER YOU READ THIS LETTER YOU HAVE TO SENT A US THE FIDBUCK THANK YOU.

[81] Confidential source.

Annex XVII –Antonov An-26/30/32 Technical Brief

1. This short brief is designed to summarize the rationale that supports these recommendations.

2. The Panel has provided evidence that it is *highly probable* that the Sudanese Air Force (SAirF) regularly utilizes the Antonov An-26, and *possibly* Antonov An-32, aircraft as bombers. There is evidence that such aircraft drop the improvised air delivered munitions (IADM), which have very limited accuracy and seem to cause significant civilian collateral damage. The load capacity of the aircraft is determined by space, rather than weight, and it is estimated that a load of over 24 IADM is possible for each flight.

3. The IADM would be dropped by rolling out of the rear cargo door of the Antonov An-26 and Antonov An-32. If these particular types of aircraft are denied access to Darfur airspace, then the capability of the SAirF to deliver the IADM would be severely constrained.

4. The SAirF has the capability to provide the same level of support by using the Antonov An-30. Although the Antonov-30 does not have a rear cargo door, meaning all loading and unloading must be done through the large side cargo door. As this door is in front of the wings and propellers it could not be used in the bomber role. It is highly likely that any IADM rolled out of the side door would be picked up in the airflow around the aircraft and hence collide with the propellers or airframe, with catastrophic results;

5. The An-30 is equipped with a large glazed nose designed specifically for aerial cartography and surveillance purposes. This is a more suitable aircraft for the SAirF surveillance and reconnaissance claimed by the SAirF than the An-26 is anyway.

6. The Antonov An-30 has very similar operating characteristics and payload capacity to the An-26 in the transport role, although loading and unloading times would increase slightly due to the lack of the rear cargo door access. This would be the only legal disadvantage to the SAirF as all other operating variables such as; 1) speed; 2) range; 3) fuel type and consumption; 4) load capacity; 5) maintenance requirements; 6) operating limits due to weather etc are virtually identical to that of the An-26/32 variants.

7. The advantages of denying the Antonov An-26/-32 variants access to Darfur airspace would be :

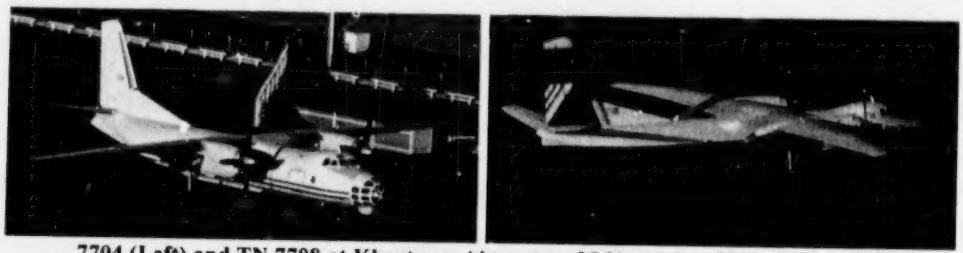
(a) the capability of the SAirF to deliver large numbers of IADM from a medium tactical aircraft would be severely limited;

(b) violations would be easily detected by the panel. Effectively any An-26/-32 variant (including civilian aircraft) seen in Darfur airspace or airports would be a direct violation of the arms embargo;

(c) the SAirF would have to utilize other aircraft in a bomber role; these would be more easily detected by the Panel as external weapon loads would more than probably have to be used. The weapon load capacity of the majority of the alternative aircraft types would be significantly less as a result of this requirement. These aircraft would also be more easily detected by the Panel.

(d) it is possible that the BDZ-34 external weapon hard points can be fitted to the Antonov An-30. But this would; 1) restrict them to delivering four bombs only per sortie rather than 20+ at the moment; 2) would mean an increase in sorties and hence expense for the SAirF to deliver similar bomb loads on the ground; 3) would increase the accuracy of such bombing anyway, thereby reducing collateral damage; 4) increase the flying hours of the aircraft with the resultant increased down time for maintenance; and 5) make the use of the aircraft in such a role easily detectable by the Panel.

8. To the knowledge of the Panel the SAirF operates two Antonov An-30 aircraft: TN 7704 (MSN 0906) and TN 7708 (MSN 1201). Both aircraft were observed in serviceable status on the military ramp of Khartoum Airport in November and December 2013.



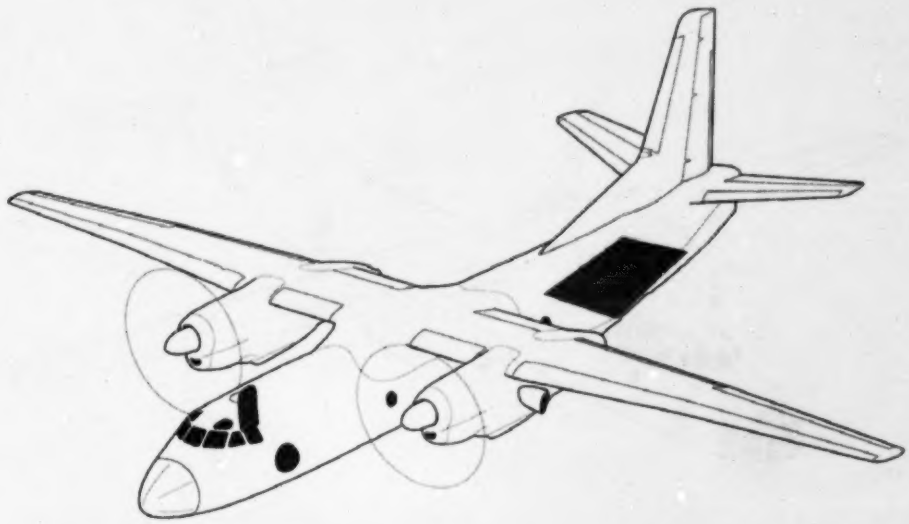
7704 (Left) and TN 7708 at Khartoum Airport on 25 November 2013 (Source: Panel)

9. The following matrix compares capabilities and characteristics of the three Antonov aircraft types:

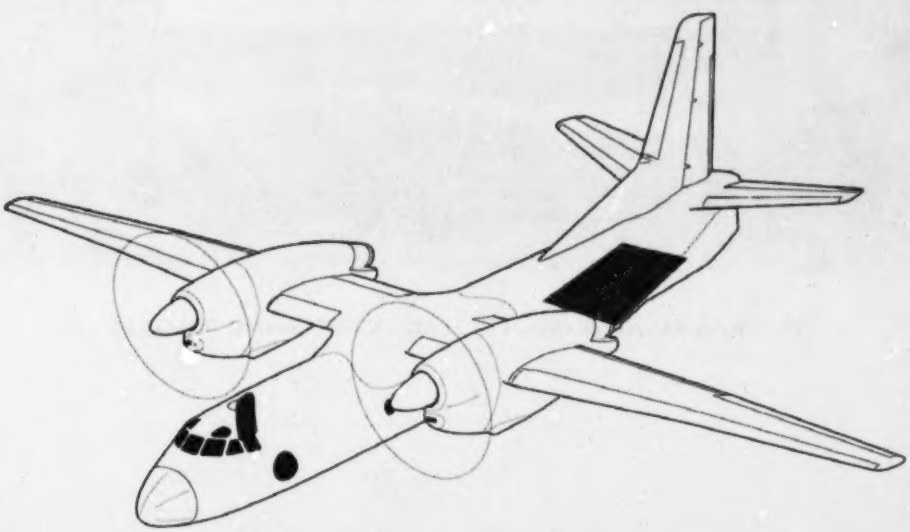
Specification	An-26	An-32	An-30
Length Overall (m)	23.8	23.8	24.3
Wingspan (m)	29.2	29.2	29.2
Payload (kg)	5,500	6,700	5,500
Take Off Weight (Maximum) (kg)	24,230	27,000	23,000
Speed (Maximum) (kph)	540	530	540
Speed (Cruising) (kph)	435	500	430
Service Ceiling (m)	7,500	8,100	8,300
Range (Maximum Payload) (km)	1,100	780	NK
Range (Maximum Fuel Load) (km)	2,500	2,050	2,630
Engine Type	AI-24VT	AI-20D	AI-24VT

Appendix A to Annex XVII –Antonov An-26/32/30 Position of Loading Doors[82]

1. Antonov An-26

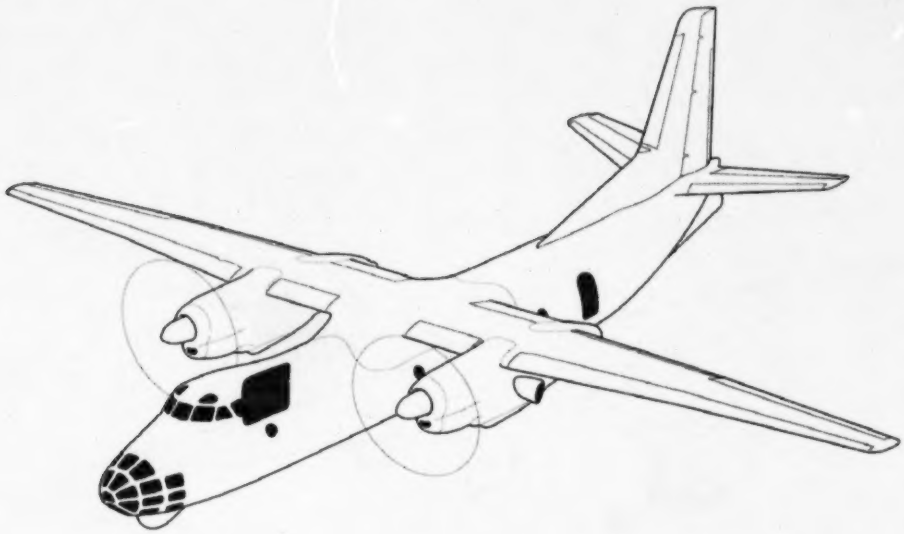


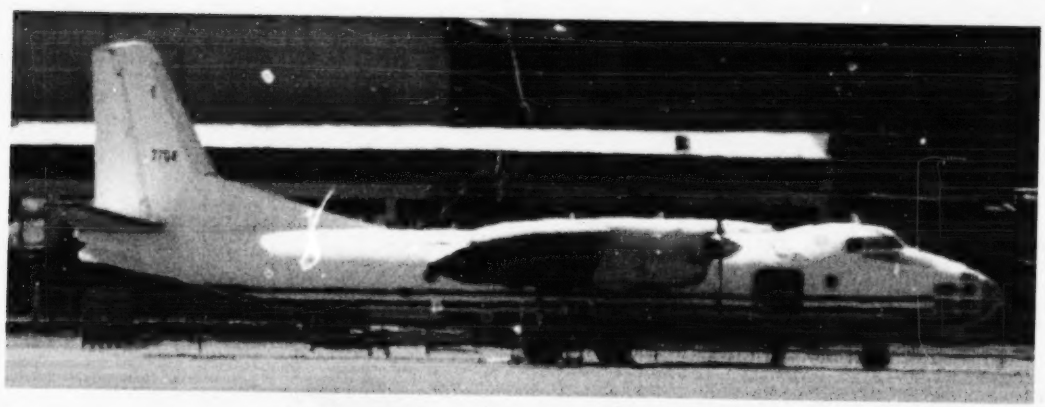
2. Antonov An-32



[82] Drawings: Source Panel.

3. Antonov An-30





TN 7704 at Khartoum Airport on 31 March 2009 (Source: flickr.com)

Annex XVII – Summary of Panel's Correspondence

A. Summary of outgoing communications sent in 2013/2014 by the Panel of Experts under the current mandate

Date	*Addressee*	*Subject Matter*
02 Apr	DPKO	Visit and Darfur Donor's Conference
05 Apr	Sudan	Visit and visa assistance
19 Apr	Chair of the Committee established pursuant to resolution 1591 (2005)	Reporting date amendment request
23 Apr	DPKO	Introduction and cooperation with UNAMID
25 Apr	South Sudan	Introduction and visit
25 Apr	UNMISS	Introduction and cooperation with UNMISS
29 Apr	Sudan	Request for information and clarifications
30 Apr	Chad	Visit
02 May	Iran	Information request
07 May	Belarus	Information request
10 May	Sudan	Access request
14 May	UAE	Introduction and visit
14 May	S.C Metrom SA, Romania	Information request
14 May	Manhurin Equipement, France	Information request
14 May	New Lauchaussee, Belgium	Information request
14 May	Fritz Werner GmbH, Germany	Information request
14 May	Advanced Engineering Inc, USA	Information request
14 May	Schuler Inc, USA	Information request
14 May	PMP Denel, South Africa	Information request
14 May	PMC Ammunition Inc, USA	Information request
03 Jun	African Union	Introduction and visit
06 Jun	China	Information request
20 Jun	Russian Federation	Information request
24 Jun	UK	Introduction and visit
26 Jun	Suhail Bahwan, Oman	Information request
27 Jun	Sudan	Information request
28 Jun	UAE	Visit request
08 Jul	Uganda	Visit request
10 Jul	UAE	Information request
16 Jul	Chad	Visit request
18 Jul	Sudan Civil Aviation Authority	Information request
18 Jul	Sudan	Visa request
25 Jul	Uganda	Visit request

Date	*Addressee*	*Subject Matter*
29 Aug	Sudan	Visa request
29 Aug	Russia	Information request
03 Sep	Belarus	Information request
17 Sep	Chad	Visa request
20 Sep	Sudan	Visa request
24 Sep	Suhail Bahwan, Oman	Information request
25 Sep	South Sudan	Visit request
25 S..	UNMISS	Visit request
27 Sep	Belarus	Information request
24 Oct	UAE	Visit request
04 Nov	UAE	Information request
05 Nov	Sudan	Information request
06 Nov	Sudan	Visa request
06 Nov	Belarus	Information
12 Nov	ICAO	Information request
20 Nov	Sudan	Information request
20 Nov	Sudan	Information request
21 Nov	CAR	Information request
21 Nov	Uganda	Information request
21 Nov	Ukraine	Information request
25 Nov	Crecy Publishing	Information request
26 Nov	Ukraine	Information request
03 Dec	Sudan	Meeting request
03 Dec	UAE	Visit request
06 Dec	Sudan	Information request
21 Dec	UAE	Information request
31 Dec	Netherlands	Information request

B. Summary of incoming communications received in 2013/14 by the Panel of Experts under the current mandate

Date	*Sender*	*Subject Matter*
13 Mar	UAE	Request for Panel Minutes of Meeting held 25-28 Nov 12.
16 May	Fritz Werner GmbH, Germany	Reply to information request.
17 May	S.C Metrom SA, Romania	Reply to information request.
28 May	PNP Denel, South Africa	Reply to information request.
19 Jun	UAE	Postponement of Visit Request
20 Jun	Chad	Acceptance of Visit Request
26 Jun	Russian Federation	Request for further information
08 Jul	China	Reply to information request.

Date	*Sender*	*Subject Matter*
25 Jul	Suhail Bahwan, Oman	Reply to information request.
15 Aug	Belarus	Reply to information request
16 Aug	Uganda	Reply to information request
10 Oct	UAE	Reply to information request
16 Oct	Chad	Acceptance of Visit Request
15 Nov	UNMISS	Acceptance of Visit Request
21 Nov	Sudan	Acceptance of Visit Request
21 Nov	UAE	Acceptance of Visit Request
25 Nov	Crecy Publications	Reply to information request
19 Dec	Belarus	Reply to information request
25 Dec	Ukraine (Antonov)	Reply to information request
20 Jan	Netherlands	Reply to information request